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ABSTRACT

This document contains the text of the Carl D. Perkins Vocational Education Act, enacted October 19, 1984 to amend the Vocational Education Act of 1963. Following an introductory section which states the purpose of the act and authorizes appropriations, the Act is organized in five sections (titles). Title I specifies vocational education assistance to the states and allots state organizational and planning responsibilities. Title II describes basic state grants for vocational education, including uses of funds for vocational education opportunities and program improvement and innovation. Title III authorizes special programs, such as support for community-based organizations; consumer and homemaker education; adult training, retraining, and employment; comprehensive career guidance and counseling programs; and industry-education partnerships for high-technology training. Title IV of the Act authorizes national programs such as research programs, demonstration programs, the Vocational Education and Occupational Information Data Systems, the National Council on Vocational Education, bilingual training programs, and contains general provisions for distribution of assistance. The final title contains the general provisions for administration of the Act, including Federal administrative provisions, and definitions. (KC)

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Public Law 98-524
98th Congress

An Act

To amend the Vocational Education Act of 1963 to strengthen and expand the economic base of the Nation, develop human resources, reduce structural unemployment, increase productivity, and strengthen the Nation's defense capabilities by assisting the States to expand, improve, and update high-quality programs of vocational-technical education, and for other purposes.

Oct. 19, 1984
[H.R. 4164]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 18, 1963 (Public Law 88-210) is amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Carl D. Perkins Vocational Education Act. 20 USC 2301 note.

"SHORT TITLE; TABLE OF CONTENTS

"SECTION 1. This Act may be cited as the 'Carl D. Perkins Vocational Education Act'.

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"PART B—DEFINITIONS

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"STATEMENT OF PURPOSE

"SEC. 2. It is the purpose of this Act to— 20 USC 2301.

"(1) assist the States to expand, improve, modernize, and develop quality vocational education programs in order to meet the needs of the Nation's existing and future work force for marketable skills and to improve productivity and promote economic growth;

"(2) assure that individuals who are inadequately served under vocational education programs are assured access to quality vocational education programs, especially individuals who are disadvantaged, who are handicapped, men and women who are entering nontraditional occupations, adults who are in need of training and retraining, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

"(3) promote greater cooperation between public agencies and the private sector in preparing individuals for employment, in promoting the quality of vocational education in the States, and in making the vocational system more responsive to the labor market in the States;

"(4) improve the academic foundations of vocational students and to aid in the application of newer technologies (including the use of computers) in terms of employment or occupational goals;

"(5) provide vocational education services to train, retrain, and upgrade employed and unemployed workers in new skills for which there is a demand in that State or employment market;

"(6) assist the most economically depressed areas of a State to raise employment and occupational competencies of its citizens;

"(7) to assist the State to utilize a full range of supportive services, special programs, and guidance counseling and placement to achieve the basic purposes of this Act;

"(8) improve the effectiveness of consumer and homemaking education and to reduce the limiting effects of sex-role stereotyping on occupations, job skills, levels of competency, and careers; and

"(9) authorize national programs designed to meet designated vocational education needs and to strengthen the vocational education research process.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3. (a) There are authorized to be appropriated $835,300,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out the provisions of titles I (other than section 112), II, and IV (other than part E) of this Act. 20 USC 2302.

Post, pp. 2438, 2443, 2450, 2447.

"(b)(1) There are authorized to be appropriated $15,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part A of title III, *Post*, p. 2457.

relating to State assistance for vocational education support programs by community-based organizations.

"(2) There are authorized to be appropriated $32,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part B of title III relating to consumer and homemaking education.

Post, p. 2458.

"(3)(A) There are authorized to be appropriated $35,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part C of title III, relating to adult training, retraining, and employment development.

Post, p. 2459.

"(B) Of the amount appropriated in each fiscal year pursuant to subparagraph (A) 50 percent shall be available in each fiscal year for the purpose described in section 201(b)(4), except that the amount made available by this subparagraph for fiscal years 1986 through 1989 shall not exceed $30,000,000 in any fiscal year.

Post, p. 2450.

"(4) There are authorized to be appropriated $1,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 to carry out part D of title III, relating to career guidance and counseling.

Post, p. 2462.

"(5) There are authorized to be appropriated $20,000,000 for the fiscal year 1985 and such sums as may be necessary for fiscal years 1986 through 1989 to carry out part E of title III, relating to industry-education partnerships for training in high-technology occupations.

Post, p. 2463.

"(c) There are authorized to be appropriated $8,000,000 for the fiscal year 1985 and such sums as may be necessary for each of the fiscal years 1986 through 1989 for section 112 of title I, relating to State councils on vocational education.

Post, p. 2443.

"(d) There are authorized to be appropriated $3,700,000 for the fiscal year 1985 and such sums as may be necessary for the fiscal years 1986 through 1989 to carry out part E of title IV, relating to bilingual vocational training programs.

Post, p. 2477.

"(e) From the funds appropriated pursuant to subsection (a) for each fiscal year, 2 percent shall be available to carry out the provisions of title IV (other than part E), relating to national programs.

Post, pp. 2466, 2477.

"TITLE I—VOCATIONAL EDUCATION ASSISTANCE TO THE STATES

"PART A—ALLOTMENT AND ALLOCATION

"ALLOTMENT

20 USC 2311.

"SEC. 101. (a)(1) From the sums appropriated pursuant to section 3(a), the Secretary shall reserve—

Ante, p. 2437.

"(A) 2 percent for the activities described in title IV (other than part E); and

Post, p. 2466.

"(B) 1½ percent for the purpose of carrying out section 103 of which (i) 1¼ percent shall be for the purposes of section 103(b) and (ii) ¼ percent shall be for the purposes of section 103(c).

Post, p. 2477.

"(2) Subject to the provisions of paragraph (3), from the remainder of the sums appropriated pursuant to sections 3(a) and 3(b), the Secretary shall allot to each State for each fiscal year—

Post, p. 2440.

Ante, p. 2437.

"(A) an amount which bears the same ratio to 50 percent of the sums being allotted as the product of the population aged fifteen to nineteen inclusive, in the State in the fiscal year

preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;

"(B) an amount which bears the same ratio to 20 percent of the sums being allotted as the product of the population aged twenty to twenty-four, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States;

"(C) an amount which bears the same ratio to 15 percent of the sums being allotted as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the fiscal year preceding the fiscal year for which the determination is made and the State's allotment ratio bears to the sum of the corresponding products for all the States; and

"(D) an amount which bears the same ratio to 15 percent of the sums being allotted as the amounts allotted to the State under clauses (A), (B), and (C) for such years bears to the sum of the amounts allotted to all the States under clauses (A), (B), and (C) for such year.

"(3)(A) No State shall receive in any fiscal year less than the total amount of payments made to the State under allotments determined under the Vocational Education Act of 1963 for fiscal year 1984. Any amounts necessary for increasing the sum of the allotments of certain States to comply with the preceding sentence shall be obtained by ratably reducing the sums of the allotments of the other States, but no such sum shall be thereby reduced to an amount which is less than the total amount of payments made to the State under allotments determined under that Act for fiscal year 1984. 20 USC 2301 note.

"(B) In any fiscal year in which the amounts appropriated and available for allotments under this section exceeds the amounts so available for fiscal year 1984, and subject to the application of subparagraph (A), no State shall receive less than one-half of one percent of the amount available under this subsection for each such fiscal year except that in the case of the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands the minimum allotment shall be $200,000.

"(C) No State shall, by reason of the application of the provisions of subparagraph (B) of this paragraph, be allotted more than 150 percent of the allotment of that State in the fiscal year preceding the fiscal year for which the determination is made.

"(D) For the purpose of this paragraph, the term 'State' does not include the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

"(b) If the Secretary determines that any amount of any State's allotment under subsection (a) for any fiscal year will not be required for such fiscal year for carrying out the program for which such amount has been allotted, the Secretary shall make such amount available for reallotment. Any such reallotment among other States shall occur on such dates during the same year as the Secretary shall fix, and shall be made on the basis of criteria established by regulation. No funds may be reallotted for any use other than the use for which they were appropriated. Any amount reallotted to a State under this subsection for any fiscal year shall remain available for obligation during the succeeding fiscal year Regulation. Prohibition.

and shall be deemed to be part of its allotment for the year in which it is obligated.

"(c)(1) The allotment ratio for any State shall be 1.00 less the product of—

"(A) 0.50; and

"(B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands), except that (i) the allotment ratio in no case shall be more than 0.60 or less than 0.40 and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands shall be 0.60.

"(2) The allotment ratios shall be promulgated by the Secretary for each fiscal year between October 1 and December 31 of the fiscal year preceding the fiscal year for which the determination is made. Allotment ratios shall be computed on the basis of the average of the appropriate per capita incomes for the three most recent consecutive fiscal years for which satisfactory data are available.

"(3) The term 'per capita income' means, with respect to a fiscal year, the total personal income in the calendar year ending in such year, divided by the population of the area concerned in such year.

"(4) For the purposes of this section, population shall be determined by the Secretary on the basis of the latest estimates available to the Department.

"WITHIN STATE ALLOCATION

20 USC 2312.

"SEC. 102. (a) Each State shall allocate from its allotment in each fiscal year—

Post, p. 2450.

"(1) 57 percent for activities described in part A of title II, and

Post, p. 2455.

"(2) 43 percent for activities described in part B of title II.

"(b) Each State, from the portion of its allotment available for

Post, p. 2445.

statewide activities under section 113(b), shall allocate not to exceed 7 percent of the allotment of the State for administrative expenses

Post, p. 2441.

or if the cost of carrying out the provision of section 111(b)(1) exceeds 1 percent of the allotment, the limitation under this subsection shall be 7 percent plus the excess costs.

"INDIAN AND HAWAIIAN NATIVES PROGRAMS

20 USC 2313.

"SEC. 103. (a)(1) For the purpose of this section—

"(A) the term 'Act of April 16, 1934' means the Act entitled 'An Act authorizing the Secretary of the Interior to arrange with States or territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes', enacted April 16, 1934 (48 Stat. 596; 25 U.S.C. 452-457); and

"(B) the term 'Hawaiian native' means any individual any of whose ancestors were natives, prior to 1778, of the area which now comprises the State of Hawaii.

Contracts with U.S.

Ante, p. 2438.

"(2) From the funds reserved pursuant to section 101(a)(1)(B), the Secretary shall enter into contracts for Indian and Hawaiian native programs in accordance with the provisions of this section.

"(b)(1) From the funds reserved pursuant to section 101(a)(1)(B)(i), the Secretary is directed, upon the request of any Indian tribe which

is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934, to enter into grants or contracts with any tribal organization of any such Indian tribe to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the purposes of this Act, except that such grants or contracts shall be subject to the terms and conditions of section 102 of the Indian Self-Determination Act and shall be conducted in accordance with the provisions of sections 4, 5, and 6 of the Act of April 16, 1934, which are relevant to the programs administered under this sentence. From any remaining funds reserved pursuant to section 101(a)(1)(B) and available for this subsection, the Secretary is authorized to enter into an agreement with the Assistant Secretary of the Interior for Indian Affairs for the operation of vocational education programs authorized by this Act in institutions serving Indians eligible to receive educational benefits as Indians from the Bureau of Indian Affairs, and the Secretary of the Interior is authorized to receive the funds for the purposes described in this paragraph.

25 USC 450 note. 25 USC 452–457. 25 USC 450f. 25 USC 455–457. *Ante*, p. 2438.

"(2) The Bureau of Indian Affairs shall expend an amount equal to the amount made available under this subsection, relating to programs for Indians, to pay a part of the costs of programs funded under this subsection. During each fiscal year the Bureau of Indian Affairs shall expend no less than the amount expended during the prior fiscal year on vocational education programs, services, and activities administered either directly by, or under contract with, the Bureau of Indian Affairs. The Secretary and the Assistant Secretary of the Interior for Indian Affairs shall jointly prepare a plan for the expenditure of funds made available and for the evaluation of programs assisted under this subsection. Upon the completion of a joint plan for the expenditure of these funds and the evaluation of the programs, the Secretary shall assume responsibility for the administration of the program, with the assistance and consultation of the Bureau of Indian Affairs.

"(3) Programs funded under this subsection shall be in addition to such other programs, services, and activities as are made available to eligible Indians under other provisions of this Act. *Ante*, p. 2435.

"(4) For the purposes of this Act, the Bureau of Indian Affairs shall be deemed to be a State board; and all the provisions of this Act shall be applicable to the Bureau as if it were a State board.

"(c) From the funds reserved pursuant to section 101(a)(1)(B)(ii), the Secretary is directed, to enter into contracts with organizations primarily serving and representing Hawaiian natives which are recognized by the Governor of the State of Hawaii to plan, conduct, and administer programs, or portions thereof, which are authorized by and consistent with the provisions of this section for the benefit of Hawaiian natives. *Ante*, p. 2438.

"PART B—STATE ORGANIZATIONAL AND PLANNING RESPONSIBILITIES

"STATE ADMINISTRATION

"SEC. 111. (a)(1) Any State desiring to participate in the vocational education program authorized by this Act shall, consistent with State law, designate or establish a State board of vocational education which shall be the sole State agency responsible for the admin- 20 USC 2321.

istration or the supervision of the State vocational education program. The responsibilities of the State board shall include—

"(A) coordination of the development, submission, and implementation of the State plan, and the evaluation of the program, services, and activities assisted under this Act pursuant to section 113(b)(9); and

Ante, p. 2435.
Post, p. 2445.

"(B) the development, in consultation with the State council on vocational education, and the submission to the Secretary, of the State plan required by section 113 and by section 114;

Post, p. 2449.

"(C) consultation with the State council established pursuant to section 112, and other appropriate agencies, groups, and individuals involved in the planning, administration, evaluation, and coordination of programs funded under this Act;

Post, p. 2443.

"(D) convening and meeting as a State board (consistent with State law and procedure for the conduct of such meetings) at such time as the State board determines necessary to carry out its functions under this Act, but not less than four times annually; and

"(E) the adoption of such procedures as the State board considers necessary to implement State level coordination with the State job training coordinating council to encourage cooperation in the conduct of their respective programs.

Except with respect to the functions set forth in the preceding sentence, the State board may delegate any of its other responsibilities involving administration, operation, or supervision, in whole or in part, to one or more appropriate State agencies.

"(2) Each State shall include a description of any delegation of its functions under paragraph (1) in its State plan, or amendments to such plan, submitted to the Secretary.

Women.

"(b)(1) Any State desiring to participate in the programs authorized by this Act shall assign one individual within the appropriate agency established or designated by the State board under the last sentence of subsection (a)(1) to administer vocational education programs within the State, to work full time to assist the State board to fulfill the purposes of this Act by—

Post, p. 2450.

"(A) administering the program of vocational education for single parents and homemakers described in section 201(f) and the sex equity program described in section 201(g);

"(B) gathering, analyzing, and disseminating data on the adequacy and effectiveness of vocational education programs in the State in meeting the education and employment needs of women (including preparation for employment in technical occupations, new and emerging occupational fields, and occupations regarded as nontraditional for women), and on the status of men and women students and employees in such programs;

"(C) reviewing vocational education programs (including career guidance and counseling) for sex stereotyping and sex bias, with particular attention to practices which tend to inhibit the entry of women in high technology occupations, and submitting (i) recommendations for inclusion in the State plan of programs and policies to overcome sex bias and sex stereotyping in such programs, and (ii) an assessment of the State's progress in meeting the purposes of this Act with regard to overcoming sex discrimination and sex stereotyping;

"(D) reviewing proposed actions on grants, contracts, and the policies of the State board to ensure that the needs of women are addressed in the administration of this Act;

"(E) developing recommendations for programs of information and outreach to women concerning vocational education and employment opportunities for women (including opportunities for careers as technicians and skilled workers in technical fields and new and emerging occupational fields);

"(F) providing technical assistance and advice to local educational agencies, postsecondary institutions, and other interested parties in the State, in expanding vocational opportunities for women; and

"(G) assisting administrators, instructors, and counselors in implementing programs and activities to increase access for women (including displaced homemakers and single heads of households) to vocational education and to increase male and female students' enrollment in nontraditional programs.

"(2) For the purpose of this subsection, the term 'State' means any one of the fifty States and the District of Columbia.

"(3) Each State shall expend not less than $60,000 in each fiscal year to carry out the provisions of this subsection.

"(c) The State board shall make available to each private industry council established under section 102 of the Job Training Partnership Act within the State a listing of all programs assisted under this Act. 29 USC 1512. *Ante*, p. 2435.

"(d) Each State board, in consultation with the State council, shall establish a limited number of technical committees to advise the council and the board on the development of model curricula to address State labor market needs. Technical committees shall develop an inventory of skills that may be used by the State board to define state-of-the-art model curricula. Such inventory will provide the type and level of knowledge and skills needed for entry, retention, and advancement in occupational areas taught in the State. The State board shall establish procedures for membership, operation, and duration of such committees consistent with the purposes of this Act. The membership shall be representatives of (1) employers from any relevant industry or occupation for which the committee is established; (2) trade or professional organizations representing any relevant occupations; and (3) organized labor, where appropriate.

"(e) The imposition of any State rule or policy relating to the administration and operation of programs funded by this Act (including any rule or policy based on State interpretation of any Federal law, regulation, or guideline) shall be identified as a State imposed requirement.

"STATE COUNCIL ON VOCATIONAL EDUCATION

"SEC. 112. (a) Each State which desires to participate in vocational education programs authorized by this Act for any fiscal year shall establish a State council, which shall be appointed by the Governor or, in the case of States in which the members of the State board of education are elected (including election by the State legislature), by such board. Each State council shall be composed of 13 individuals, and shall be broadly representative of citizens and groups within the State having an interest in vocational education. Each State council shall consist of— Establishment. 29 USC 2322.

"(1) seven individuals who are representative of the private sector in the State who shall constitute a majority of the membership—

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"(A) five of whom shall be representative of business, industry, and agriculture including—

"(i) one member who is representative of small business concerns; and

"(ii) one member who is a private sector member of the State job training coordinating council (established pursuant to section 122 of the Job Training Partnership Act), and

29 USC 1532.

"(B) two of whom shall be representatives of labor organizations;

"(2) six individuals who are representative of secondary and postsecondary vocational institutions (equitably distributed among such institutions), career guidance and counseling organizations within the State, individuals who have special knowledge and qualifications with respect to the special educational and career development needs of special populations (including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities) and of whom one member shall be representative of special education.

In selecting individuals under subsection (a) to serve on the State council, due consideration shall be given to the appointment of individuals who serve on a private industry council under the Job Training Partnership Act, or on State councils established under other related Federal Acts.

29 USC 1501 note.

"(b) The State shall certify the establishment and membership of the State council at least 90 days prior to the beginning of each planning period described in section 113(a)(1).

Post, p. 2445.

"(c) Each State council shall meet as soon as practical after certification has been accepted by the Secretary and shall select from among its membership a chairperson who shall be representative of the private sector. The time, place, and manner of meeting, as well as council operating procedures and staffing, shall be as provided by the rules of the State council, except that such rules must provide for not less than one public meeting each year at which the public is given an opportunity to express views concerning the vocational education program of the State.

"(d) Each State council shall—

"(1) meet with the State board or its representatives during the planning year to advise on the development of the State plan;

"(2) advise the State board and make reports to the Governor, the business community, and general public of the State, concerning—

"(A) policies the State should pursue to strengthen vocational education (with particular attention to programs for the handicapped); and

"(B) initiatives and methods the private sector could undertake to assist in the modernization of vocational education programs;

"(3) analyze and report on the distribution of spending for vocational education in the State and on the availability of vocational education activities and services within the State;

"(4) furnish consultation to the State board on the establishment of evaluation criteria for vocational education programs within the State;

"(5) submit recommendations to the State board on the conduct of vocational education programs conducted in the State

which emphasize the use of business concerns and labor organizations;

"(6) assess the distribution of financial assistance furnished under this Act, particularly with the analysis of the distribution of financial assistance between secondary vocational education programs and postsecondary vocational education programs; *Ante*, p. 2435.

"(7) recommend procedures to the State board to ensure and enhance the participation of the public in the provision of vocational education at the local level within the State, particularly the participation of local employers and local labor organizations;

"(8) report to the State board on the extent to which the individuals described in section 201(b) are provided with equal access to quality vocational education programs; and *Post*, p. 2450.

"(9)(A) evaluate at least once every two years (i) the vocational education program delivery systems assisted under this Act, and under the Job Training Partnership Act, in terms of their adequacy and effectiveness in achieving the purposes of each of the two Acts and (ii) make recommendations to the State board on the adequacy and effectiveness of the coordination that takes place between vocational education and the Job Training Partnership Act and (B) advise the Governor, the State board, the State job training coordinating council, the Secretary, and the Secretary of Labor of these findings and recommendations. 29 USC 1501 note.

"(e) Each State council is authorized to obtain the services of such professional, technical, and clerical, personnel as may be necessary to enable it to carry out its functions under this Act and to contract for such services as may be necessary to enable the Council to carry out its evaluation functions, independent of programmatic and administrative control by other State boards, agencies, and individuals. Contracts with U.S.

"(f)(1)(A) From the amounts appropriated pursuant to section 3(c) the Secretary shall make grants to State councils from amounts allotted to State councils in accordance with the method for allotment contained in section 101(a)(2), without regard to paragraph (3), except that no State council shall be allotted less than $120,000 nor more than $225,000 for each fiscal year. Grants. *Ante*, p. 2437. *Ante*, p. 2438.

"(B) For the purpose of subparagraph (A), the term 'State' shall not include the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

"(2) The expenditure of the funds paid pursuant to this subsection is to be determined solely by the State council for carrying out its functions under this Act, and may not be diverted or reprogramed for any other purpose by any State board, agency, or individual. Each State council shall designate an appropriate State agency or other public agency, eligible to receive funds under this Act, to act as its fiscal agent for purposes of disbursement, accounting, and auditing.

"STATE PLANS

"SEC. 113. (a)(1)(A) Any State desiring to receive funds from its allotment for any fiscal year shall submit to the Secretary a State plan for a three-year period in the case of the initial plan and a 2-year period thereafter, together with such annual revisions as the State board determines to be necessary. 20 USC 2323.

"(E) The planning periods required by paragraph (1) of this subsection shall be coterminous with the planning program periods required under section 104(a) of the Job Training Partnership Act.

29 USC 1514.

"(2)(A) In formulating the State plan (and amendments thereto) the State board shall meet with and utilize the State council, established pursuant to section 112 of this Act.

Ante, p. 2443.

"(B) The State board shall conduct public hearings in the State, after appropriate and sufficient notice, for the purpose of affording all segments of the public and interested organizations and groups an opportunity to present their views and make recommendations regarding the State plan. A summary of such recommendations and the State board's response shall be included with the State plan.

"(3) In developing the State plan, the State shall—

"(A) assess the current and projected occupational needs and the current and projected demand for general occupational skills within the State;

"(B) examine the needs of students, including adults, in order to determine how best to improve student skill levels in light of the State's occupational and skill requirements;

"(C) assess the special needs of groups of individuals specified in section 201(b) for access to vocational education and vocational services in terms of labor market needs;

Post, p. 2450.

"(D) assess the quality of vocational education in terms of—

"(i) the pertinence of programs to the workplace and to new and emerging technologies,

"(ii) the responsiveness of programs to the current and projected occupational needs in the State,

"(iii) the capacity of programs to facilitate entry into, and participation in, vocational education and to ease the school-to-work and secondary-to-postsecondary transition,

"(iv) the technological and educational quality of vocational curricula, equipment, and instructional materials to enable vocational students and instructors to meet the challenges of increased technological demands of the workplace; and

"(v) the capability of vocational education programs to meet the needs for general occupational skills and improvement of academic foundations in order to address the changing content of jobs;

"(E) determine the capacity of local educational agencies, with respect to secondary education and postsecondary educational institutions, to deliver the vocational education services necessary to meet the needs identified through the assessments required by clauses (A) through (D) of this paragraph; and

"(F) determine, for each fiscal year, how the services and activities supported by funds furnished under this Act may be expected to assist the State in meeting the needs identified through the assessments required by clauses (A) through (D) of this paragraph.

Ante, p. 2435.

"(b) Each such plan shall—

"(1) provide assurances that, and where necessary a description of the manner in which, the State board will comply with the requirements of titles I, II, III, and V of this Act, including—

Ante, p. 2438; *post*, pp. 2450, 2457, 2479.

"(A) a description of the manner in which the State will comply with the criteria required for programs for the handicapped and for the disadvantaged prescribed by section 204;

Post, p. 2454.

"(B) assurances that the State will comply with the distribution of assistance requirements contained in section 203; and *Post*, p. 2453.

"(C) assurances that, to the extent consistent with the number and location of individuals described in clauses (1) and (2) of section 201(b) in the State who are enrolled in private elementary and secondary schools, provision is made for the participation of such individuals in the vocational education program assisted under part A of title II of this Act; *Post*, p. 2450. *Post*, p. 2450.

"(2) set forth the planned uses of Federal funds available for vocational education for each fiscal year for which the plan is submitted and describe how the State did carry out the provisions of section 113(a)(3); *Ante*, p. 2445.

"(3) describe progress the State has made in achieving the goals set forth in each State plan subsequent to the initial State plan;

"(4) provide assurances that the State will distribute at least 80 percent of the funds made available for parts A and B of title II to eligible recipients, or combination of eligible recipients, except that the State will distribute 100 percent of the funds available for clauses (1) and (2) of section 202, relating to the disadvantaged and the handicapped, to eligible recipients in accordance with section 203(a); *Post*, pp. 2450, 2455. *Post*, p. 2452. *Post*, p. 2453.

"(5) set forth the criteria the State board will use in approving applications of eligible recipients and allocating funds made available under this Act to such recipients, which shall ensure that States will allocate more Federal funds to eligible recipients in units of local government which are economically depressed (including both urban and rural units) or which have high unemployment, as determined by the State; *Ante*, p. 2435.

"(6) provide such methods of administration as are necessary for the proper and efficient administration of the Act;

"(7) provide assurances that, in the use of funds available for single parents and homemakers under section 201(b)(3), that the State will emphasize assisting individuals with the greatest financial need, and that in serving homemakers the State will give special consideration to homemakers who because of divorce, separation, or the death or disability of a spouse must prepare for paid employment; *Post*, p. 2450.

"(8) provide assurances that the State will furnish relevant training and vocational education activities to men and women who desire to enter occupations that are not traditionally associated with their sex;

"(9)(A) provide assurances that the State will develop measures for the effectiveness of programs assisted under this Act in meeting the needs identified in the State plan, including evaluative measurements such as—

"(i) the occupations to be trained for, which will reflect a realistic assessment of the labor market needs of the State;

"(ii) the levels of skills to be achieved in particular occupations, which will reflect the hiring needs of employers; and

"(iii) the basic employment competencies to be used in performance outcomes, which will reflect the hiring needs of employers;

"(B) the State will, as a component of the measures under subclause (A) of this clause, establish appropriate measures for evaluating the effectiveness of programs for the handicapped assisted under this Act; and

Ante, p. 2435.

"(C) provide assurances that the State will evaluate not less than 20 percent of the eligible recipients assisted within the State in each fiscal year;

"(10) describe the methods proposed for the joint planning and coordination of programs carried out under this Act with programs conducted under the Job Training Partnership Act, the Adult Education Act, title I of the Elementary and Secondary Education Act of 1965 as modified by chapter 1 of the Education Consolidation and Improvement Act, the Education of the Handicapped Act, and the Rehabilitation Act of 1973, and with apprenticeship training programs;

29 USC 1501 note.
20 USC 1201 note.
20 USC 2701.
20 USC 3801-3807.
20 USC 1400.

"(11) that programs of personnel development, and curriculum development shall be funded to further the goals identified in the State plan;

29 USC 701 note.

"(12) provide assurances that the vocational education needs of those identifiable segments of the population in the State that have the highest rates of unemployment have been thoroughly assessed, and that such needs are reflected in and addressed by the State plan;

"(13) provide assurances that the State board will cooperate with the State council on vocational education in carrying out its duties under this part;

"(14) provide assurance that none of the funds expended under this Act will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization;

"(15) provide assurances that for each fiscal year, expenditures for career guidance and counseling from allotments for title II and part D of title III will not be less than the expenditures for such guidance and counseling in the State for the fiscal year 1984 assisted under section 134(a) of the Vocational Education Act of 1963;

Post, pp. 2450, 2462.

20 USC 2354.

"(16) provide assurances that Federal funds made available under this Act will be used so as to supplement, and to the extent practicable increase the amount of State and local funds that would in the absence of such Federal funds be made available for the uses specified in the State plan, and in no case supplant such State or local funds; and

"(17) provide assurances that the State will provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to eligible recipients under this Act).

"(c)(1) When changes in program conditions, labor market conditions, funding, or other factors require substantial amendment to an approved State plan, the State board, in consultation with the State council, shall submit amendments to such State plan to the Secretary. Any such amendments shall be subject to review by the State job training coordinating council, and the State council.

"(2) The Secretary shall approve, within sixty days of submission, the State plan amendments which meet the requirements of this

section, unless such amendments propose changes that are inconsistent with the requirements and purposes of this Act. The Secretary shall not finally disapprove such amendments except after giving reasonable notice and an opportunity for a hearing to the State board.

"APPROVAL

"SEC. 114. (a)(1) Each State plan shall, not less than 60 days before the plan is to be submitted to the Secretary, be furnished to the State legislature and the State job training coordinating council of the State under section 122 of the Job Training Partnership Act for review and comment. If the matters covered by the comments of the State legislature and the State job training coordinating council are not covered by the State plan, the State shall submit the comments with the State plan to the Secretary. 20 USC 2324. 29 USC 1532.

"(2) If the State legislature is not in session during the period described in paragraph (1), the State board shall submit the plan for review and comment to the next meeting of the State legislature and forward the comments of the State legislature to the Secretary when the comments are received.

"(b)(1) Each State plan shall be submitted to the State council on vocational education for review and comment not later than 60 days prior to the submission of the plan to the Secretary.

"(2) If the State council finds that the final State plan is objectionable for any reason, including that it does not meet the labor market needs of the State, the State council shall file its objections with the State board. The State board shall respond to any objections of the State council in submitting such plan to the Secretary. The Secretary shall consider such comments in reviewing the State plan.

"(c)(1) The Secretary shall provide technical assistance and guidance to the States in order to assist the States to fulfill the requirements of section 113(a)(3). *Ante*, p. 2445.

"(2)(A) Each State plan shall be submitted to the Secretary by May 1 preceding the beginning of the first fiscal year for which such plan is to be in effect. The Secretary shall approve, within sixty days, each such plan which meets the requirements of section 113, and shall not finally disapprove a State plan except after giving reasonable notice and an opportunity for a hearing to the State board.

"(B) The document submitted under subparagraph (A) shall be considered to be the general application required to be submitted by the State for funds received under this Act for purposes of the provisions of section 435 of the General Education Provisions Act. 20 USC 1232d.

"LOCAL APPLICATION

"SEC. 115. (a) Except as provided in subsection (c), any eligible recipient desiring to receive assistance under this Act shall, according to requirements established by the State board, submit to the State board an application covering the same period as the State plan, for the use of such assistance. The State board shall determine requirements for local applications (and amendments thereto), except that each such application shall— 20 USC 2325.

"(1) set forth the vocational education programs, services, and activities proposed to be funded; and

"(2) describe the coordination with relevant programs conducted under the Job Training Partnership Act and the Adult Education Act, to avoid duplication.

29 USC 1501 note.
20 USC 1201 note.
Public inspection.

"(b) Each such local application shall be available for review and comment by interested parties, including the appropriate administrative entity under the Job Training Partnership Act.

"(c)(1) Eligible recipients providing relatively few vocational education programs, services, and activities funded with limited total Federal and State funds may, as determined by the State board, be exempt from the requirements of subsection (a) or (b) or both.

"(2) Each State board shall identify in its State plan the appropriate criteria for determining such exemptions.

"TITLE II—BASIC STATE GRANTS FOR VOCATIONAL EDUCATION

"PART A—VOCATIONAL EDUCATION OPPORTUNITIES

"USES OF FUNDS

20 USC 2331.
Ante, p. 2438.

"SEC. 201. (a) From the portion of the allotment of each State under section 101 available for this part, each State shall provide vocational education services and activities designed to meet the special needs of groups of individuals specified in subsection (b).

"(b) To meet the needs identified in the State plan, each State shall use the portion of its allotment available for this part in any fiscal year to provide vocational education services and activities designed to meet the special needs of, and to enhance the participation of—

"(1) handicapped individuals;

"(2) disadvantaged individuals;

"(3) adults who are in need of training and retraining;

"(4) individuals who are single parents or homemakers;

"(5) individuals who participate in programs designed to eliminate sex bias and stereotyping in vocational education; and

"(6) criminal offenders who are serving in a correctional institution.

"(c)(1) Each State shall use the portion of its allotment available for this part in any fiscal year for handicapped individuals only for the Federal share of expenditures limited to supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for handicapped individuals to participate in vocational education. If the conditions of handicapped students require a separate program, each State may use such funds for the Federal share of the costs of the services and activities in separate vocational education programs for handicapped individuals which exceed the average average per-pupil expenditures for regular services and activities of the eligible recipient.

"(2) Each State shall use the portion of its allotment available for this part in any fiscal year for disadvantaged individuals only for the Federal share of expenditures limited to supplemental or additional staff, equipment, materials, and services not provided to other individuals in vocational education that are essential for disadvantaged individuals to participate in vocational education. If the conditions of disadvantaged individuals require a separate program, each State may use such funds for the Federal share of the costs of the

services and activities in separate vocational education programs for disadvantaged individuals which exceed the average per-pupil expenditures for regular services and activities of the eligible recipient.

"(d)(1) Each State may use the portion of its allotment available for this part for any fiscal year for the improvement of vocational education services and activities designed to provide equal access to quality vocational education to disadvantaged individuals, the costs of services and activities which apply the latest technological advances to courses of instruction, and, subject to the provisions of paragraph (2), the acquisition of modern machinery and tools.

"(2) Funds available to each recipient under this part for the disadvantaged may be expended for the acquisition of modern machinery and tools in schools at which at least 75 percent of the students enrolled are economically disadvantaged.

"(e)(1) Each State shall use the portion of its allotment available for this part to provide, improve, and expand adult and postsecondary vocational education services and activities to train and retrain adults.

"(2) Funds used for the purpose described in subsection (a) may be used for services and activities developed in coordination with the State agency administering title III of the Job Training Partnership Act. 29 USC 1651.

"(3) Funds for services and activities under this section may be used for—

"(A) additional training under title III of the Job Training Partnership Act;

"(B) vocational education programs for training or retraining adults, including programs for older individuals and displaced homemakers;

"(C) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer;

"(D) individuals who have completed or left high school and who are enrolled in organized programs of study for which credit is given toward an associate or other degree, but which programs are not designed as baccalaureate or higher degree programs; and

"(E) individuals who have already entered the labor market, or have completed or left high school, and who are not described in clause (D).

"(f) Each State may only use the portion of its allotment available for this part to—

"(1) provide, subsidize, reimburse or pay for vocational education and training activities, including basic literacy instruction and necessary educational materials, that will furnish single parents and homemakers with marketable skills;

"(2) make grants to eligible recipients for expanding vocational education services when this expansion directly increases the eligible recipients' capacity for providing single parents and homemakers with marketable skills;

"(3) make grants to community-based organizations for the provision of vocational education services to single parents and homemakers, if the State determines that the community-based organization has demonstrated effectiveness in providing comparable or related services to single parents and homemakers, taking into account the demonstrated performance of such an

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organization in terms of cost, the quality of training and the characteristics of the participants;

"(4) make vocational education and training more accessible to single parents and homemakers by assisting them with child care or transportation services or by organizing and scheduling the programs so that such programs are more accessible; or

"(5) provide information to single parents and homemakers to inform them of vocational education programs and related support services.

Infra.

"(g) That portion of the allotment described in section 202(5) shall be available for—

"(1) programs, services, and activities to eliminate sex bias and stereotyping in secondary and postsecondary vocational education;

"(2) vocational education programs, services, and activities for girls and women, aged 14 through 25, designed to enable the participants to support themselves and their families; and

"(3) support services for individuals participating in vocational education programs, services, and activities described in clauses (1) and (2) including dependent-care services and transportation.

The requirement with respect to age limitations contained in clause (2) of subsection (a) may be waived whenever the individual described in section 111(b)(1) determines that the waiver is essential to meet the objectives of this section.

Ante, p. 2441.

"(h)(1) Each State may use the portion of its allotment available for this part in any fiscal year for basic skills instruction for vocational education students and related to their instructional program whenever the State board determines that such instruction is necessary to carry out the purposes described in subsection (b) of this section.

"(2) Each State may use the portion of its allotment available for this part in any fiscal year for the provision of educational training through arrangements with private vocational training institutions, private postsecondary educational institutions, and employers whenever such institutions or employers can make a significant contribution to obtaining the objectives of the State plan and can provide substantially equivalent training at a lesser cost, or can provide equipment or services not available in public institutions.

"(i)(1) Vocational education services and activities described in subsection (b) shall, to the extent practicable, include work-site programs such as cooperative vocational education, work-study, and apprenticeship programs.

"(2) Vocational education services and activities described in subsection (b) may include placement services for students who have successfully completed vocational education programs.

"DISTRIBUTION OF ASSISTANCE

20 USC 2332.

"SEC. 202. From the portion of the allotment of each State available for this part for each fiscal year—

Handicapped persons.

"(1) 10 percent of the funds available for this title shall be available for handicapped individuals;

Disadvantaged persons.

"(2) 22 percent of such funds shall be available for disadvantaged individuals;

"(3) 12 percent of such funds shall be available for adults who are in need of training and retraining;

"(4) 8.5 percent of such funds shall be available for individuals who are single parents and homemakers;

"(5) 3.5 percent of such funds shall be available for individuals who are participants in programs designed to eliminate sex bias and stereotyping in vocational education; and

"(6) 1 percent of such funds shall be made available for criminal offenders who are in correctional institutions.

"WITHIN STATE ALLOCATION

"SEC. 203. (a)(1)(A) The State board shall allocate the 10 percent of the amount allotted to the State and available for this title for vocational education services and activities for the handicapped to eligible recipients in accordance with the provisions of this paragraph. 20 USC 2333.

"(B) Of the amount allocated under this paragraph—

"(i) 50 percent of such amount shall be allocated to eligible recipients on the basis of the relative number of economically disadvantaged individuals enrolled in each eligible recipient in the fiscal year preceding the fiscal year in which the determination is made to the total number of such individuals enrolled in all eligible recipients within the State in such year; and Disadvantaged persons.

"(ii) 50 percent shall be allocated on the basis of the relative number of handicapped students served in vocational education programs by each eligible recipient within the State in the fiscal year preceding the fiscal year for which the determination is made as compared to the total number of such individuals served by all eligible recipients within the State in such year. Handicapped persons.

"(2)(A) The State board shall allocate the 22 percent of the amount allotted to the State and available for this title for vocational education services and activities for the disadvantaged to eligible recipients in accordance with the provisions of this paragraph.

"(B) Of the amount allocated under this paragraph— Disadvantaged persons.

"(i) 50 percent of such amount shall be allocated to eligible recipients on the basis of the relative number of economically disadvantaged individuals enrolled in each eligible recipient in the fiscal year preceding the fiscal year in which the determination is made compared to the total number of such individuals enrolled in all eligible recipients within the State in such year; and

"(ii) 50 percent shall be allocated on the basis of the relative number of disadvantaged individuals and individuals with limited English proficiency served in vocational education programs by each eligible recipient within the State in the fiscal year preceding the fiscal year for which the determination is made as compared to the total number of such individuals served by all eligible recipients within the State in such year.

"(3) The State board shall assure that sums allocated among eligible recipients pursuant to this subsection shall be used by an eligible recipient for vocational education services and activities for individuals with limited English proficiency in the same proportion as the number of individuals with limited English proficiency served by each eligible recipient within the State in the fiscal year preceding the fiscal year for which the determination is made bears to the population of the State in that year.

"(4) Each local educational agency shall use, to the extent feasible, community-based organizations of demonstrated effectiveness, in

addition to other eligible recipients, for the use of funds available under this part in areas of the State in which there is an absence of sufficient vocational education facilities or in which the vocational education programs do not adequately address the needs of disadvantaged students, or in which the local educational agency determines that the community-based organization can better serve disadvantaged students.

"(5) Each local educational agency is authorized to use funds allocated under paragraph (1) of this subsection for joint projects with one or more other local educational agencies.

"(b) The State board may encourage any eligible recipient within the State which is eligible to receive a grant under this part which is $1,000 or less in any fiscal year to operate programs jointly with another eligible recipient.

"(c) The State board shall establish criteria for the distribution of the remaining amount of the allotment of the State available for this part to eligible recipients and to community-based organizations pursuant to section 201(c)(3) within the State for the purposes described in clauses (3), (4), (5), and (6) of section 202.

Ante, p. 2450.
Ante, p. 2452.

"CRITERIA FOR SERVICES AND ACTIVITIES FOR THE HANDICAPPED AND FOR THE DISADVANTAGED

"SEC. 204. (a) The State board shall, with respect to that portion of the allotment distributed in accordance with section 203(a) for vocational education services and activities for handicapped individuals and disadvantaged individuals, provide assurances that—

20 USC 2334.
Ante, p. 2453.

"(1) equal access will be provided to handicapped and disadvantaged individuals in recruitment, enrollment, and placement activities;

"(2) equal access will be provided to handicapped and disadvantaged individuals to the full range of vocational programs available to nonhandicapped and nondisadvantaged individuals, including occupationally specific courses of study, cooperative education, and apprenticeship programs; and

"(3)(A) vocational education programs and activities for handicapped individuals will be provided in the least restrictive environment in accordance with section 612(5)(B) of the Education of the Handicapped Act and will, whenever appropriate, be included as a component of the individualized education plan required under section 612(4) and section 614(a)(5) of such Act; and

20 USC 1412.
20 USC 1414.

"(B) vocational education planning for handicapped individuals will be coordinated between appropriate representatives of vocational education and special education.

"(b) Each local educational agency shall, with respect to that portion of the allotment distributed in accordance with section 203(a) for vocational education services and activities for handicapped individuals and disadvantaged individuals, provide information to handicapped and disadvantaged students and parents of such students concerning the opportunities available in vocational education at least one year before the students enter the grade level in which vocational education programs are first generally available in the State, but in no event later than the beginning of the ninth grade, together with the requirements for eligibility for enrollment in such vocational education programs.

Ante, p. 2453.

"(c) Each student who enrolls in vocational education programs and to whom subsection (b) applies shall receive—

"(1) assessment of the interests, abilities, and special needs of such student with respect to completing successfully the vocational education program;

"(2) special services, including adaptation of curriculum, instruction, equipment, and facilities, designed to meet the needs described in clause (1);

"(3) guidance, counseling, and career development activities conducted by professionally trained counselors who are associated with the provision of such special services; and

"(4) counseling services designed to facilitate the transition from school to post-school employment and career opportunities.

"PART B—VOCATIONAL EDUCATION PROGRAM IMPROVEMENT, INNOVATION, AND EXPANSION

"USES OF FUNDS

"SEC. 251. (a) From the portion of the allotment of each State under section 101 available for this part from amounts appropriated pursuant to section 3(a) for each fiscal year, each State may use funds so available to meet the needs identified in the State plan for— 20 USC 2341. *Ante*, p. 2438. *Ante*, p. 2437.

"(1) the improvement of vocational education programs within the State designed to improve the quality of vocational education, including high-technology programs involving an industry-education partnership as described in part D of title III, apprenticeship training programs, and the provision of technical assistance; *Post*, p. 2462.

"(2) the expansion of vocational education activities necessary to meet student needs and the introduction of new vocational education programs, particularly in economically depressed urban and rural areas of the State;

"(3) the introduction of new vocational education programs, particularly in economically depressed urban and rural areas;

"(4) the creation or expansion of programs to train workers in skilled occupations needed to revitalize businesses and industries or to promote the entry of new businesses and industries into a State or community;

"(5) exemplary and innovative programs which stress new and emerging technologies and which are designed to strengthen vocational education services and activities;

"(6) the improvement and expansion of postsecondary and adult vocational education programs and related services for out-of-school youth and adults, which may include upgrading the skills of (A) employed workers, (B) workers who are unemployed or threatened with unemployment as a result of technological change or industrial dislocation, (C) workers with limited English proficiency, and (D) displaced homemakers and single heads of households;

"(7) the improvement and expansion of career counseling and guidance authorized by part D of title III;

"(8) programs relating to curriculum development in vocational education within the State, including the application of basic skills training;

"(9) the expansion and improvement of programs at area vocational education schools;

"(10) the acquisition of equipment and the renovation of facilities necessary to improve or expand vocational education programs within the State;

"(11) the conduct of special courses and teaching strategies designed to teach the fundamental principles of mathematics and science through practical applications which are an integral part of the student's occupational program;

"(12) the assignment of personnel to work with employers and eligible recipients in a region to coordinate efforts to ensure that vocational programs are responsive to the labor market and supportive of apprenticeship training programs;

"(13) the activities of vocational student organizations carried out as an integral part of the secondary and postsecondary instructional program;

"(14) prevocational programs;

"(15) programs of modern industrial and agricultural arts;

"(16) support for full-time personnel to carry out section 111(b) which shall be paid for from administrative expenses of the State available under section 102(b);

Ante, p. 2441.
Ante, p. 2440.

"(17) the provision of stipends, which shall not exceed reasonable amounts as prescribed by the Secretary by regulation, for students entering or already enrolled in vocational education programs who have acute economic needs which cannot be met under work-study programs;

"(18) placement services for students who have successfully completed vocational education programs (including special services for the handicapped and cooperative efforts with rehabilitation programs);

"(19) day care services for children of students in secondary and postsecondary vocational education programs;

"(20) the construction of area vocational education school facilities in areas having a demonstrated need for such facilities;

"(21) the acquisition of high-technology equipment for vocational education programs;

"(22) the provision of vocational education through arrangements with private vocational education institutions, private postsecondary educational institutions, and employers whenever such private institutions or employers can make a significant contribution to attaining the objectives of this Act and can provide substantially equivalent preparation at a lesser cost, or can provide equipment or services not available in public institutions;

Ante, p. 2435.

"(23) the acquisition and operation of communications and telecommunications equipment for vocational education programs; and

"(24) the improvement or expansion of any other vocational education activities authorized under part A.

Ante, p. 2450.

"(b) From the portion of the allotment of each State under section 101 available for this part from amounts appropriated pursuant to section 3(a) for each fiscal year, each State shall use grants for the provision of inservice and preservice training designed to increase the competence of vocational education teachers, counselors, and administrators, including special emphasis on the integration of

Ante, p. 2438.
Ante, p. 2437.

handicapped and disadvantaged students in regular courses of vocational education.

"CRITERIA FOR PROGRAM IMPROVEMENT, INNOVATION, AND EXPANSION

"SEC. 252. (a) Subject to the provisions of this part, each State may expend funds available under this part in the manner best suited to carry out the purposes of this Act within the State. 20 USC 2342. *Ante*, p. 2435.

"(b) Each State may make use of community-based organizations of demonstrated effectiveness, in addition to eligible recipients, for the use of funds available under this part in areas of the State in which there is an absence of sufficient vocational education facilities or in which the vocational education programs do not adequately address the needs of disadvantaged students or wherever the community-based organization can better serve disadvantaged students.

"(c) Any project assisted with funds made available under this part shall be of sufficient size, scope, and quality to give reasonable promise of meeting the vocational education needs of the students involved in the project.

"TITLE III—SPECIAL PROGRAMS

"PART A—STATE ASSISTANCE FOR VOCATIONAL EDUCATION SUPPORT PROGRAMS BY COMMUNITY-BASED ORGANIZATIONS

"APPLICATIONS

"SEC. 301. (a) Each community-based organization which desires to receive assistance under this part shall prepare jointly with the appropriate eligible recipient and submit an application to the State board at such time, in such manner, and containing or accompanied by such information as the State board may require. Each such application shall— 20 USC 2351.

"(1) contain an agreement between the community-based organization and the eligible recipients in the area to be served, which includes the designation of fiscal agents established for the program;

"(2) provide a description of the uses for which assistance is sought pursuant to section 302(b) together with evaluation criteria to be applied to the program; *Post*, p. 2458.

"(3) provide assurances that the community-based organization will give special consideration to the needs of severely economically and educationally disadvantaged youth ages sixteen through twenty-one, inclusive;

"(4) provide assurances that business concerns will be involved, as appropriate, in services and activities for which assistance is sought;

"(5) describe the collaborative efforts with the eligible recipients and the manner in which the services and activities for which assistance is sought will serve to enhance the enrollment of severely economically and educationally disadvantaged youth into the vocational education programs; and

"(6) provide assurances that the programs conducted by the community-based organization will conform to the applicable standards of performance and measures of effectiveness required of vocational education programs in the State.

"USES OF FUNDS

20 USC 2352. *Ante*, p. 2438.

"SEC. 302. (a) From the portion of the allotment of each State under section 101 available for this part, each State shall provide financial assistance to joint programs of eligible recipients and community-based organizations within the State for the conduct of special vocational education services and activities described in subsection (b).

"(b) Funds provided under this section may be used in accordance with State plans for—

"(1) outreach programs to facilitate the entrance of youth into a program of transitional services and subsequent entrance into vocational education, employment or other education and training;

"(2) transitional services such as attitudinal and motivational prevocational training programs;

"(3) prevocational educational preparation and basic skills development conducted in cooperation with business concerns;

"(4) special prevocational preparations programs targeted to inner-city youth, non-English speaking youth, Appalachian youth, and the youth of other urban and rural areas having a high density of poverty who need special prevocational education programs;

"(5) career intern programs;

"(6) assessment of students needs in relation to vocational education and jobs; and

"(7) guidance and counseling to assist students with occupational choices and with the selection of a vocational education program.

"PART B—CONSUMER AND HOMEMAKER EDUCATION

"CONSUMER AND HOMEMAKER EDUCATION GRANTS

20 USC 2361.

"SEC. 311. From the portion of the allotment of each State under section 101 available for this part, the Secretary is authorized to make grants to States to assist them in conducting consumer and homemaker education programs. Such programs may include (1) instructional programs, services, and activities that prepare youth and adults for the occupation of homemaking, and (2) instruction in the areas of food and nutrition, consumer education, family living and parenthood education, child development and guidance, housing, home management (including resource management), and clothing and textiles.

"USE OF FUNDS FROM CONSUMER AND HOMEMAKER EDUCATION GRANTS

20 USC 2362. *Ante*, p. 2449.

"SEC. 312. (a) Grants to any State under this part shall be used, in accordance with State plans approved under section 114—

"(1) to conduct programs in economically depressed areas;

"(2) to encourage participation of traditionally underserved populations;

"(3) to encourage the elimination of sex bias and sex stereotyping;

"(4) to improve, expand, and update programs with an emphasis on those which specifically address needs described under clauses (1), (2), and (3); and

"(5) to address priorities and emerging concerns at the local, State, and national levels.

"(b) Grants for the purposes set forth in subsection (a) may be used for—

"(1) program development and improvement of instruction and curricula relating to managing individual and family resources, making consumer choices, managing home and work responsibilities, improving responses to individual and family crises, strengthening parenting skills, assisting aged and handicapped individuals, improving nutrition, conserving limited resources, understanding the impact of new technology on life and work, applying consumer and homemaker education skills to jobs and careers, and other needs as determined by the State; and

"(2) support services and activities designed to ensure the quality and effectiveness of programs, including demonstration of innovative and exemplary projects, community outreach to underserved populations, application of academic skills (such as reading, writing, mathematics, and science) through consumer and homemaker education programs, curriculum development, research, program evaluation, development of instructional materials, teacher education, upgrading of equipment, teacher supervision, and State administration and leadership, including activities of the student organization.

"(c) Not less than one-third of the Federal funds made available to any State under this section shall be expended in economically depressed areas or areas with high rates of unemployment for programs designed to assist consumers and to help improve home environments and the quality of family life.

"INFORMATION DISSEMINATION AND LEADERSHIP

"SEC. 313. (a) The State board shall ensure that the experience and information gained through carrying out programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership qualified by experience and preparation in home economics education. 20 USC 2363.

"(b) Not more than 6 percent of the funds available under this part may be used to carry out leadership activities under this section.

"PART C—ADULT TRAINING, RETRAINING, AND EMPLOYMENT DEVELOPMENT

"FINDINGS AND PURPOSE

"SEC. 321. (a) The Congress finds that— 20 USC 2371.

"(1) technological change, international competition, and the demographics of the Nation's work force have resulted in increases in the numbers of adult workers who are unemployed, who have been dislocated, or who require training, retraining, or upgrading of skills,

"(2) many women entering and reentering the paid labor market are disproportionately employed in low-wage occupations and require additional training,

"(3) many adults cannot gain access to or benefit fully from vocational education due to limited English proficiency, and

"(4) these needs can be met by vocational education programs that are responsive to the needs of individuals and the demands of the labor market.

"(b) It is the purpose of this part (1) to provide financial assistance to the States to enable them to expand and improve vocational education programs designed to meet urgent needs for training, retraining, and employment development of adults who have completed or left high school and are preparing to enter or have entered the labor market, in order to equip adults with the competencies and skills required for productive employment, and (2) to ensure that such programs are relevant to the labor market needs and accessible to all segments of the population, including women, minorities, the handicapped, individuals with limited English proficiency, workers fifty-five and older, and the economically disadvantaged.

"AUTHORIZATION OF GRANTS AND USES OF FUNDS

20 USC 2372. *Ante*, p. 2438.

"SEC. 322. (a) From the portion of the allotment of each State under section 101 available for this part, the Secretary shall make grants to the States for programs, services, and activities authorized by this part.

"(b)(1) Grants to States under this part may be used, in accordance with State plans, for—

Ante, p. 2450.

"(A) vocational education programs, services, activities, and employment development authorized by title II which are designed to meet the needs of—

"(i) individuals who have graduated from or left high school and who need additional vocational education for entry into the labor force;

"(ii) unemployed individuals who require training to obtain employment or increase their employability;

"(iii) employed individuals who require retraining to retain their jobs, or who need training to upgrade their skills to qualify for higher paid or more dependable employment;

"(iv) displaced homemakers and single heads of households who are entering or reentering the labor force;

"(v) employers who require assistance in training individuals for new employment opportunities or in retraining employees in new skills required by changes in technology, products, or processes; and

"(vi) workers fifty-five and older;

"(B) short-term programs of retraining designed to upgrade or update skills in accordance with changed work requirements;

"(C) education and training programs designed cooperatively with employers, such as—

"(i) institutional and worksite programs, including apprenticeship training programs (or combinations of such programs) especially tailored to the needs of an industry or group of industries for skilled workers, technicians, or managers, or to assist their existing work force to adjust to changes in technology or work requirements; and

"(ii) quick-start, customized training for workers in new and expanding industries, or for workers for placement in

jobs that are difficult to fill because of a shortage of workers with the requisite skills,

"(D) building more effective linkages between vocational education programs and private sector employers (through a variety of programs including programs where secondary school students are employed on a part-time basis as registered apprentices with transition to full-time apprenticeships upon graduation), and between eligible recipients of assistance under this Act and economic development agencies and other public and private agencies providing job training and employment services, in order to more effectively reach out to and serve individuals described in subparagraph (A); *Ante*, p. 2435.

"(E) cooperative education programs with public and private sector employers and economic development agencies, including seminars in institutional or worksite settings, designed to improve management and increase productivity;

"(F) entrepreneurship training programs which assist individuals in the establishment, management, and operation of small business enterprises;

"(G) recruitment, job search assistance, counseling, remedial services, and information and outreach programs designed to encourage and assist males and females to take advantage of vocational education programs and services, with particular attention to reaching women, older workers, individuals with limited English proficiency, the handicapped, and the disadvantaged;

"(H) curriculum development, acquisition of instructional equipment and materials, personnel training pilot projects, and related and additional services and activities required to effectively carry out the purposes of this part;

"(I) the costs of serving adults in other vocational education programs, including paying the costs of instruction or the costs of keeping school facilities open longer; and

"(J) related instruction for apprentices in apprenticeship training programs.

"(2) In making grants under this part, the Secretary shall require each State, in its State plan (or an amendment thereto), to assure that programs—

"(A) are designed with the active participation of the State council established pursuant to section 112; *Ante*, p. 2443.

"(B) make maximum effective use of existing institutions, are planned to avoid duplication of programs or institutional capabilities, and to the fullest extent practicable are designed to strengthen institutional capacity to meet the education and training needs addressed by this part;

"(C) involve close cooperation with and participation by public and private sector employers and public and private agencies working with problems of employment and training and economic development; and

"(D) where appropriate, involve coordination with programs under the Rehabilitation Act of 1973 and the Education of the Handicapped Act. 29 USC 701 note. 20 USC 1400.

"COORDINATION WITH THE JOB TRAINING PARTNERSHIP ACT

"SEC. 323. (a) Each State receiving grants under this part shall include in the State plan methods and procedures for coordinating 20 USC 2373.

vocational education programs, services, and activities funded under this part to provide programs of assistance for dislocated workers funded under title III of the Job Training Partnership Act.

29 USC 1651.

"(b)(1) The State board shall consult with the State job training coordinating council (established under section 122 of the Job Training Partnership Act) in order that programs assisted under this part may be taken into account by such council in formulating recommendations to the Governor for the Governor's coordination and special services plan required by section 121 of such Act.

29 USC 1532.

29 USC 1531.

"(2) The State board shall also adopt such procedures as it considers necessary to encourage coordination between eligible recipients receiving funds under this part and the appropriate administrative entity established under the Job Training Partnership Act in the conduct of their respective programs, in order to achieve the most effective use of all Federal funds through programs that complement and supplement each other, and, to the extent feasible, provide an ongoing and integrated program of training and services for workers in need of such assistance.

29 USC 1601 note.

"PART D—COMPREHENSIVE CAREER GUIDANCE AND COUNSELING PROGRAMS

"GRANTS FOR CAREER GUIDANCE AND COUNSELING

20 USC 2381.
Ante, p. 2438.

"SEC. 331. From the portion of the allotment of each State under section 101 available for this part, the Secretary is authorized to make grants to States to assist them in conducting career guidance and counseling programs authorized by this part.

"USE OF FUNDS FROM CAREER GUIDANCE AND COUNSELING GRANTS

20 USC 2382.

"SEC. 332. (a) Grants to any State under this part shall be used, in accordance with State plans (and amendments thereto), for programs (organized and administered by certified counselors) designed to improve, expand, and extend career guidance and counseling programs to meet the career development, vocational education, and employment needs of vocational education students and potential students. Such programs shall be designed to assist individuals—

"(1) to acquire self-assessment, career planning, career decisionmaking, and employability skills;

"(2) to make the transition from education and training to work;

"(3) to maintain marketability of current job skills in established occupations;

"(4) to develop new skills to move away from declining occupational fields and enter new and emerging fields in high-technology areas and fields experiencing skill shortages;

"(5) to develop midcareer job search skills and to clarify career goals; and

"(6) to obtain and use information on financial assistance for postsecondary and vocational education, and job training.

"(b) Programs of career guidance and counseling under this part shall encourage the elimination of sex, age, handicapping condition, and race bias and stereotyping, provide for community outreach, enlist the collaboration of the family, the community, business, industry, and labor and be accessible to all segments of the population, including women, minorities, the handicapped, and the eco-

nomically disadvantaged. The programs authorized by this part shall consist of—

"(1) instructional activities and other services at all educational levels to help students with the skills described in clauses (1) through (6) of subsection (a); and

"(2) services and activities designed to ensure the quality and effectiveness of career guidance and counseling programs and projects assisted under this part, such as counselor education (including education of counselors working with individuals with limited English proficiency), training of support personnel, curriculum development, research and demonstration projects, experimental programs, instructional materials development, equipment acquisition, and State and local leadership and supervision; and

"(3) projects which provide opportunities for counselors to obtain firsthand experience in business and industry, and projects which provide opportunities to acquaint students with business, industry, the labor market, and training opportunities (including secondary educational programs that have at least one characteristic of an apprenticeable occupation as recognized by the Department of Labor or the State Apprenticeship Agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act, in concert with local business, industry, labor, and other appropriate apprenticeship training entities, designed to prepare participants for an apprenticeable occupation or provide information concerning apprenticeable occupations and their prerequisites). 29 USC 50 note.

"(c) Not less than 20 percent of the sums made available to a State under this part shall be used for programs designed to eliminate sex, age, and race bias and stereotyping under subsection (b) and for activities to ensure that programs under this part are accessible to all segments of the population, including women, the disadvantaged, the handicapped, individuals with limited English proficiency, and minorities.

"INFORMATION DISSEMINATION AND LEADERSHIP

"SEC. 333. (a) The State board shall ensure that the experience and information gained through programs assisted under this part is shared with administrators for the purpose of program planning. Funds available under this part shall be used to assist in providing State leadership qualified by experience and knowledge in guidance and counseling. 20 USC 2383.

"(b) Not more than 6 percent of the funds available under this part may be used to carry out leadership activities under this section.

"PART E—INDUSTRY-EDUCATION PARTNERSHIP FOR TRAINING IN HIGH-TECHNOLOGY OCCUPATIONS

"FINDINGS AND PURPOSE

"SEC. 341. (a) The Congress finds that— 20 USC 2391.

"(1) shortages of technicians in high-technology fields are adversely affecting the Nation's productivity, its competitiveness in world markets, defense capability, and economic health; and

"(2) the Nation's vocational education system can make a major contribution in meeting the need for trained technicians and skilled workers in these fields, particularly through partnerships between vocational agencies and institutions and private business and industry.

"(b) It is therefore the purpose of this part—

"(1) to provide incentives for business and industry and the vocational education community to develop programs to train the skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes; and

"(2) to ensure that such programs are relevant to the labor market and accessible to all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged.

"AUTHORIZATION OF GRANTS

20 USC 2392. *Ante*, p. 2438.

"SEC. 342. (a) From the portion of the allotment of each State under section 101 available for this part, the Secretary shall make grants to the States to carry out industry-education partnership training programs in high-technology occupations in accordance with this part.

"(b) Grants to any State under this part shall be used, in accordance with State plans which contain assurances to the Secretary that—

"(1) funds received under this part will be used solely for vocational education programs designed to train skilled workers and technicians in high-technology occupations (including programs providing related instruction to apprentices) and projects to train skilled workers needed to produce, install, operate, and maintain high-technology equipment, systems, and processes;

"(2) to the maximum extent practicable, funds received under this part will be utilized in coordination with the Job Training Partnership Act to avoid duplication of effort and to ensure maximum effective utilization of funds under this Act and the Job Training Partnership Act;

29 USC 1501 note.

"(3) except as provided in subsection (c), not less than 50 per centum of the aggregate costs of programs and projects assisted under this part will be provided from non-Federal sources, and not less than 50 per centum of such non-Federal share of aggregate costs in the State will be provided by participating business and industrial firms;

"(4) programs and projects assisted under this part will be coordinated with those assisted under title II, and to the maximum extent practicable (consistent with the purposes of programs assisted under title II), supportive services will be so organized as to serve programs under both titles; and

Ante, p. 2450.

"(5) programs and projects assisted under this part will be developed with the active participation of the State council established pursuant to section 112.

Ante, p. 2443.

"(c)(1) The business and industrial share of the costs required by subsection (b)(2) may be in the form of cash or of in-kind contributions (such as facilities, overhead, personnel, and equipment) fairly valued.

"(2) The Federal share of such costs shall be available equally from funds available to the States under this part and from funds allotted to the States under title II.

Ante, p. 2450.

"(3) If an eligible recipient demonstrates to the satisfaction of the State that it is incapable of providing all or part of the non-Federal portion of such costs as required by subsection (b)(2), the State may designate funds available under part B of title II or funds available from State sources in lieu of such non-Federal portion.

Ante, p. 2455.

"USE OF FUNDS

"SEC. 343. (a) Funds made available to the States by grants under this part may be used solely for the establishment and operation of programs and projects described by section 342(b) and for—

20 USC 2393.

Ante, p. 2464.

"(1) necessary administrative costs of the State board and of eligible recipients associated with the establishment and operation of programs authorized by this part;

Ante, p. 2463.

"(2) training and retraining of instructional and guidance personnel;

"(3) curriculum development and the development or acquisition of instructional and guidance equipment and materials;

"(4) acquisition and operation of communications and telecommunications equipment and other high-technology equipment for programs authorized by this part; and

"(5) such other activities authorized by this title as may be essential to the successful establishment and operation of programs and projects authorized by this part, including activities and related services to ensure access of women, minorities, the handicapped, and the economically disadvantaged.

"(b) In approving programs and projects assisted under this part, the State board shall give special consideration to—

"(1) the level and degree of business and industry participation in the development and operation of the program;

"(2) the current and projected demand within the State or relevant labor market area for workers with the level and type of skills the program is designed to produce;

"(3) the overall quality of the proposal, with particular emphasis on the probability of successful completion of the program by prospective trainees and the capability of the eligible recipient (with assistance from participating business or industry) to provide high quality training for skilled workers and technicians in high technology; and

"(4) the commitment to serve all segments of the population, including women, minorities, the handicapped, and the economically disadvantaged (as demonstrated by special efforts to provide outreach, information, and counseling, and by the provision of remedial instruction and other assistance).

"(c) Expenditures for administrative costs pursuant to subsection (a)(1) may not exceed 10 per centum of the State's allotment for this part in the first year and 5 per centum of such allotment in each subsequent year.

"TITLE IV—NATIONAL PROGRAMS

"PART A—RESEARCH

"RESEARCH OBJECTIVES

20 USC 2401.

"SEC. 401. It is the purpose of this part—

"(1) to authorize research activities which contribute to improving the access to vocational education programs of individuals who are disadvantaged, who are handicapped, women who are entering nontraditional occupations, adults who are in need of retraining, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

"(2) to improve the competitive process by which research projects are awarded;

"(3) to encourage the dissemination of findings of research projects assisted under this Act to all States; and

Ante, p. 2435.

"(4) to authorize research activities which are readily applicable to the vocational education setting and are of practical application to vocational education administrators, counselors, and instructors and others involved in vocational education.

"RESEARCH ACTIVITIES

20 USC 2402.
Supra.

"SEC. 402. (a) In order to carry out the objectives set forth in section 401, the Secretary shall conduct applied research on aspects of vocational education specifically related to this Act. Such research may be conducted through the National Institute of Education or any other division of the Department of Education which the Secretary determines to be appropriate. Such research shall include—

"(1) effective methods for providing quality vocational education to handicapped individuals, disadvantaged individuals, men and women in nontraditional fields, adults, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

"(2) strategies for coordinating local, State, and Federal vocational education, employment training, and economic development programs to maximize their efficacy and for improving worker training and retraining;

"(3) the constructive involvement of the private sector in public vocational education;

"(4) successful methods of reinforcing and enhancing basic academic skills in vocational settings;

"(5) the development of curriculum materials and instructional methods relating to new and emerging technologies, and assessments of the nature of change in the workplace and its effect on individual jobs;

"(6) the identification of institutional characteristics which improve the preparation of youth and adults for employment; and

"(7) the development of effective methods for providing quality vocational education to individuals of limited English proficiency, including research related to bilingual vocational training.

"(b) In addition, the Secretary shall—

"(1) initiate leadership development and inservice education activities for State and local vocational education instructors, counselors, and administrators; and

"(2) support meritorious, unsolicited research proposals from individual researchers community colleges, State advisory councils, and State and local educators relating to the goals of this Act.

"(c) The Secretary shall give preference in carrying out the provisions of this part to public and private postsecondary institutions in conducting vocational education research.

"(d)(1) The Secretary shall institute measures designed to ensure that program improvement activities carried out under this section represent a coordinated effort to improve the quality of vocational education.

"(2) The Secretary shall include in the annual report of the Secretary a summary of activities funded under this section, together with an appraisal of their contributions to the improvement and expansion of vocational education.

"NATIONAL ASSESSMENT OF VOCATIONAL EDUCATION PROGRAMS ASSISTED UNDER THIS ACT

"SEC. 403. (a) The Secretary shall conduct a national assessment of vocational education assisted under this Act, through independent studies and analysis by the National Institute of Education. The assessment shall include descriptions and evaluations of— 20 USC 2403. *Ante*, p. 2435.

"(1) the vocational education activities and services delivered to the individuals who benefit from vocational education activities and services assisted under this Act, including the expansion of access to quality vocational education for individuals described in section 201(b) and adults; *Ante*, p. 2450.

"(2) the impact of this Act in modernizing the Nation's vocational education system and expanding its capacity to meet the changing needs of the workplace;

"(3) the resources needed to meet adequately the Nation's job training needs;

"(4) the coordination of vocational education programs with employment training and economic development among the States;

"(5) the impact of vocational education programs on the achievement of academic skills and employment opportunities of students;

"(6) the coordination of vocational education and postsecondary programing for handicapped and disadvantaged individuals;

"(7) the skill and competency levels developed by States pursuant to section 113(b); *Ante*, p. 2445.

"(8) the effectiveness of vocational education programs and services for individuals of limited English proficiency; and

"(9) the effectiveness of bilingual vocational training, including bilingual vocational instructor training, to address the unmet needs of individuals of limited English proficiency.

The National Institute of Education shall consult with the Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives in the design and implementation of the assessment required by this section. The National Institute of Education shall report to Congress Report.

the preliminary results of the assessment required by this section in January and July of 1988, and a final report shall be prepared and submitted to the Congress not later than January 1, 1989.

"(b) The Secretary shall conduct an analysis of State plans and of the findings of evaluations conducted pursuant to section 113(b) and make suggestions to State boards for improvements in planning or program operation.

Ante, p. 2445.

President of U.S.

"(c) Notwithstanding any other provision of law or regulation, such reports shall not be subject to any review outside of the National Institute of Education before their transmittal to the Congress, but the President and the Secretary may make such additional recommendations to the Congress with respect to the assessment as they deem appropriate.

"(d) Not more than 20 percent of the amounts available under this part in any fiscal year may be expended to carry out the assessment authorized by this section.

"NATIONAL CENTER FOR RESEARCH IN VOCATIONAL EDUCATION

20 USC 2404.

Ante, p. 2435.

"SEC. 404. (a)(1) The National Center for Research in Vocational Education established pursuant to this Act (hereinafter in this section referred to as the 'National Center') shall continue to be operated with funds made available under this Act.

Grants.

"(2) The Secretary shall provide support for the National Center through an annual grant for its operation. The National Center shall be a nonprofit entity associated with a public or private nonprofit university which is prepared to make a substantial financial contribution toward its establishment. The Secretary shall, on the basis of solicited applications, designate the entity to be the National Center once every five years, acting with the advice of a panel composed of individuals appointed by the Secretary who are not Federal employees and who are recognized nationally as experts in vocational education administration and research.

"(3) The National Center shall have a Director, appointed by the university with which it is associated, and shall be assisted by the advisory committee under subsection (c).

Research and development.

"(b) The National Center shall have as its primary purposes the design and conduct of research and developmental projects and programs, including longitudinal studies, which extend over a period of years (with such supplementary and short-term activities through other grants and contracts as the Director may choose to undertake consistent with the purpose of this Act). Such projects, programs, and activities shall be conducted by the National Center directly and through subcontracts (subject to the availability of appropriations therefor) with other public agencies and public or private institutions of higher education. The National Center shall—

"(1) conduct applied research and development on—

"(A) effective methods for providing quality vocational education to handicapped individuals, disadvantaged individuals, men and women in nontraditional fields, adults, individuals who are single parents or homemakers, individuals with limited English proficiency, and individuals who are incarcerated in correctional institutions;

"(B) the constructive involvement of the private sector in public vocational education;

"(C) successful methods of reinforcing and enhancing basic academic skills in vocational settings;

"(D) the development of curriculum materials and instructional methods relating to new and emerging technologies, and assessments of the nature of change in the workplace and its effect on individual jobs; and

"(E) the identification of institutional characteristics which improve the preparation of youth and adults for employment;

"(2) provide leadership development through an advanced study center and inservice education activities for State and local leaders in vocational education;

"(3) disseminate the results of the research and development projects funded by the Center; Public information.

"(4) develop and provide information to facilitate national planning and policy development in vocational education;

"(5) provide technical assistance to programs serving special populations, including the handicapped and individuals with limited English proficiency;

"(6) act as a clearinghouse for information on contracts or grants made by the States to carry out research, curriculum, and personnel development activities and on contracts or grants made by the Secretary pursuant to this title;

"(7) work with States, local educational agencies, and other public agencies in developing methods of planning and evaluating programs, including the followup studies of individuals who complete the program so that such agencies can offer vocational education programs which are more closely related to the types of jobs available in their communities, States, and regions; and

"(8) after consultation with the National Commission for Employment Policy, report annually to the Congress, the Secretary of Education, and the Secretary of Labor on the extent, efficiency, and effectiveness of joint planning and coordination under this Act and the Job Training Partnership Act. Report. *Ante*, p. 2435. 29 USC 1501 note.

"(c) The Secretary shall appoint an advisory committee which shall advise the Secretary and the Director with respect to policy issues in the administration of the National Center and in the selection and conduct of major research and demonstration projects and activities of the National Center. The advisory committee shall meet at the call of the Secretary at least three times annually at the site of the National Center. The advisory committee shall consist of not more than twelve members, who shall not be employees of the Federal Government, who shall include—

"(1) two members designated by the university with which the National Center is associated;

"(2) at least one member selected from individuals nominated by national organizations representing State and local education administrators and teachers;

"(3) one member who is an individual recognized nationally for work in the field of vocational education research;

"(4) one member who is the owner, chief executive officer, or senior manager of a private business or industry which employs skilled workers and technicians in high-technology occupations;

"(5) one member who is an individual recognized nationally for work in the field of labor market economics;

"(6) one member who is recognized nationally for work in curriculum in vocational education;

"(7) one member who represents organized labor;

"(8) one member who is an individual recognized nationally for work with individuals with limited English proficiency in the field of vocational education;

"(9) one member who is an individual recognized nationally for work in guidance and counseling in the field of vocational education; and

"(10) one member who is an individual recognized nationally for work with the handicapped in the field of vocational education.

"PART B—DEMONSTRATION PROGRAMS

"Subpart 1—Cooperative Demonstration Programs

"PROGRAM AUTHORIZED

Grants.
Contracts with U.S.
20 USC 2411.
Post, p. 2479.

"SEC. 411. (a) From the amounts available for this part under section 451 for each fiscal year, the Secretary is authorized to carry out, directly or through grants to or contracts with State and local educational agencies, postsecondary educational institutions, institutions of higher education, and other public and private agencies, organizations, and institutions, programs and projects which support—

Ante, p. 2450.

"(1) model programs providing improved access to quality vocational education programs for those individuals described in section 201(b) of this Act and for men and women seeking nontraditional occupations;

"(2) examples of successful cooperation between the private sector and public agencies in vocational education, involving employers or consortia of employers or labor organizations and building trade councils, and State boards or eligible recipients designed to demonstrate ways in which vocational education and the private sector of the economy can work together effectively to assist vocational education students to attain the advanced level of skills needed to make the transition from school to productive employment, including—

"(A) work experience and apprenticeship programs;

"(B) transitional worksite job training for vocational education students which is related to their occupational goals and closely linked to classroom and laboratory instruction provided by an eligible recipient;

"(C) placement services in occupations which the students are preparing to enter; and

"(D) where practical, projects (such as the rehabilitation of public schools or housing in inner cities or economically depressed rural areas) that will benefit the public;

"(3) programs to overcome national skill shortages, as designated by the Secretary in cooperation with the Secretary of Labor, Secretary of Defense, and Secretary of Commerce; and

"(4) such other activities which the Secretary may designate which are related to the purposes of this Act.

"(b)(1) Projects described in clause (2) of subsection (a) may include institutional and on-the-job training, supportive services authorized by this Act, and such other necessary assistance as the Secretary determines to be necessary for the successful completion of the project.

"(2) Not less than 25 percent of the cost of the demonstration programs authorized by this subpart shall be provided by the recipient of the grant or contract, and such share may be in the form of cash or in-kind contributions, including facilities, overhead, personnel, and equipment fairly valued.

"(c) All programs assisted under this section shall be—

"(1) of direct service to individuals enrolled in such programs; and

"(2) capable of wide replication by service providers.

"(d) The Secretary shall disseminate the results of the programs and projects assisted under this section in a manner designed to improve the training of teachers, other instructional personnel, counsellors, and administrators who are needed to carry out the purposes of this Act. Public availability.

"(e) Not later than one year after the date of enactment of the Carl D. Perkins Vocational Education Act, the Secretary of Labor and the Secretary of Education shall develop and implement a plan for greater coordination between vocational education programs and apprenticeship training programs. Linkages between such programs shall be established relating to apprentice-school programs, and preapprenticeship programs, and program evaluation and performance standards (particularly with respect to apprenticeship training and programs of related instruction). The Secretaries shall establish such other collaborative and cooperative efforts as are considered feasible and appropriate.

"Subpart 2—State Equipment Pools

"PROGRAM AUTHORIZED

"SEC. 413. From funds made available to carry out this subpart, the Secretary shall develop and implement a program of competitive grants to State boards for the operation of State programs involving the loan of high-technology, state-of-the-art equipment to eligible recipients for use in local vocational education programs. The Secretary shall determine the appropriate amount of any grant. No State may qualify for more than two consecutive years for a grant under this subpart. Grants. 20 USC 2413.

"Subpart 3—Demonstration Centers for the Retraining of Dislocated Workers

"PROGRAM AUTHORIZED

"SEC. 415. The Secretary shall establish one or more demonstration centers for the retraining of dislocated workers in order to demonstrate the application of general theories of vocational education to the specific problems of retraining displaced workers. 20 USC 2415.

"Subpart 4—Model Centers for Vocational Education for Older Individuals

"PROGRAM AUTHORIZED

"SEC. 417. (a) The Secretary shall establish a grant program to establish and operate model centers to focus greater attention on the special vocational education needs of older individuals and to Grants. 20 USC 2417.

promote employment opportunities for older individuals in accordance with this subpart.

"(b) Any center established and operated by an eligible recipient under this subpart—

"(1) provide training or retraining to update older individuals' skills, prepare such individuals for new careers when their skills have been rendered obsolete by technological advances, and promote employment through training or retraining in areas of job potential in growth industries utilizing new technologies;

"(2) provide assistance for later-life career changes, with special emphasis on the needs of older individuals who are displaced homemakers;

"(3) provide information, counseling, and support services to assist older individuals in obtaining employment;

"(4) encourage providers of vocational education, including community colleges and technical schools, to offer more job training opportunities targeted to or easily accessible to older individuals; and

"(5) promote training of paraprofessionals in gerontology and geriatrics.

Public information.

"(c) The Secretary shall establish and operate a national clearinghouse within the Department of Education to provide State and local governments, and interested organizations and individuals with information concerning centers established under this subpart and their programs.

"(d) For purposes of this subpart, the term 'older individual' means an individual fifty-five years of age or older.

"PART C—VOCATIONAL EDUCATION AND OCCUPATIONAL INFORMATION DATA SYSTEMS

"DATA SYSTEMS AUTHORIZED

20 USC 2421.

"SEC. 421. (a)(1) The Secretary shall develop, within the National Center for Education Statistics, a national vocational education data reporting and accounting system using uniform definitions. The system required by this section shall include information on vocational education—

"(A) students (including information concerning race, sex, and handicapping condition),

"(B) programs,

"(C) program completers and leavers,

"(D) placement and followup,

"(E) staff,

"(F) facilities, and

"(G) expenditures in relation to the principal purposes of this Act.

Such information shall include the participation of special populations, including women, the disadvantaged, the handicapped, individuals of limited English proficiency, and minorities.

"(2) The Secretary shall take such action as may be necessary to secure the data required by this section at reasonable cost. The Secretary, in consultation with the Congress, shall determine the number and types of vocational education institutions to be sampled, the methodology to be used, group sample sizes, appropriate breakdown analyses of such groups, and the frequency with which such studies under this section are to be conducted.

"(b)(1) In maintaining and updating such system, the Secretary shall endeavor to the fullest extent feasible to make the system compatible with the occupational information system (established pursuant to section 422), with the vocational education data system authorized under section 161(a) of the Vocational Education Act of 1963, and with other systems developed or assisted under the Job Training Partnership Act and with information collected pursuant to the Education of the Handicapped Act. *Infra.* 20 USC 2391. 29 USC 1501 note. 20 USC 1400.

"(2) Any State receiving assistance under this Act shall cooperate with the Secretary in supplying the information required to be submitted by the Secretary and shall comply in its reports with the vocational education data system developed by the Secretary pursuant to subsection (a). Each State shall submit the data required to carry out this subsection to the Secretary in whatever form the Secretary requires.

"(3) The Secretary shall every 2 years update the national vocational education information and accounting system and prepare acquisition plans of data for operating the system. In carrying out the requirements under this paragraph, the Secretary shall use scientific sample surveys for the information required, except that the information required with respect to handicapped students shall be furnished in accordance with section 423 of this Act. *Post*, p. 2474.

"(4) The Secretary may conduct special studies on enrollment of disadvantaged students in vocational education programs, on the participation of handicapped students in vocational education programs, and any other similar subjects which the Secretary deems appropriate.

"(c) In carrying out the responsibilities imposed by this section, the Secretary shall cooperate with the Secretary of Labor in implementing section 463 of the Job Training Partnership Act to ensure that the data system operated under this section is compatible with and complementary to other occupational supply and demand information systems developed or maintained with Federal assistance. 29 USC 1753.

"OCCUPATIONAL INFORMATION SYSTEM

"SEC. 422. (a) There is established a National Occupational Information Coordinating Committee which shall consist of the Assistant Secretary for Vocational and Adult Education, the Commissioner of the Rehabilitative Services Administration, the Director of the Office of Bilingual Education and Minority Language Affairs, and the Administrator of the National Center for Education Statistics of the Department of Education, the Commissioner of Labor Statistics and the Assistant Secretary for Employment and Training of the Department of Labor, the Undersecretary for Small Community and Rural Development of the Department of Agriculture, the Assistant Secretary for Economic Development of the Department of Commerce, and the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics). The Committee, with funds available to it under section 451, shall provide funds, on an annual basis, to State occupational information coordinating committees and to eligible recipients and shall— National Occupational Information Coordinating Committee, establishment. 20 USC 2422. *Post*, p. 2479.

"(1) in the use of program data and employment data, improve coordination and communication among administrators and planners of programs authorized by this Act and by the Job Training Partnership Act, employment security agency administrators, research personnel, and personnel of employment and *Ante*, p. 2435. 29 USC 1501 note.

training planning and administering agencies (including apprenticeship training agencies) at the Federal, State, and local levels;

"(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications;

"(3) conduct studies on the effects of technological change on new and existing occupational areas and the required changes in knowledge and job skills; and

"(4) assist State occupational information coordinating committees established pursuant to subsection (b).

"(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the State job training coordinating council, and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)—

"(A) implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this Act and of the administering agencies under the Job Training Partnership Act; and

Ante, p. 2435.
29 USC 1501 note.

"(B) use the occupational information system to implement a career information delivery system.

"INFORMATION BASE FOR VOCATIONAL EDUCATION DATA SYSTEM

20 USC 2423.

"SEC. 423. The Secretary shall assure that adequate information on the access to vocational education programs by handicapped secondary school students be included in the national vocational education data system, required by section 161 of the Vocational Education Act of 1963 and by this part, for the biennial survey. The information base for the biennial survey for the handicapped shall be in 4-digit detail as defined in A Classification of Instructional Programs published by the National Center for Educational Statistics. The survey shall include information with respect to total handicapped enrollment by program, by type of instructional setting, and by type of handicapping condition.

20 USC 2391.

"PART D—NATIONAL COUNCIL ON VOCATIONAL EDUCATION

"COUNCIL ESTABLISHED

20 USC 2431.

"SEC. 431. (a)(1) There is established the National Council on Vocational Education. The Council shall consist of 17 members appointed by the President of whom 9 shall be representative of the private sector.

"(2) The members of the Council shall serve for such terms as the President may prescribe. Members of the Council shall be individuals who are owners, chief executives or chief operating officers of

private business concerns, private for profit and nonprofit health and educational institutions and executives of business concerns and business associations who have substantial management and policy responsibility including agriculture, small business, and organized labor, except that at least one member shall be a nonpublic member appointed from among members of the National Commission for Employment Policy established under the Job Training Partnership Act, and at least 3 members shall be individuals with broad experience in education and human resources development. 29 USC 1501 note.

"(3) The Chairperson of the Council shall be selected by the President. The Council shall meet not fewer than 4 times each year at the call of the Chairperson. A majority of the members of the Council shall constitute a quorum (but a lesser number may conduct hearings on behalf of the Council), and recommendations may be made, or other actions taken, only by a majority of the members present.

"(b) The Council shall advise the President, Congress, and the Secretary on—

"(1) the effectiveness of this Act or its implementation in achieving the stated purposes of this Act and in providing students with skills that meet needs of employers; *Ante*, p. 2435.

"(2) strategies for increasing cooperation between business and vocational education so that training is available for new technologies for which there is a demand;

"(3) practical approaches to retraining adult workers, and to enhancing education, business, and labor cooperation in retraining efforts;

"(4) effective ways of providing access to information regarding the market demand for skills that will enable State and local personnel to develop responsive vocational education curricula;

"(5) the vocational education needs of the handicapped and the level of participation of the handicapped in vocational education programs; and

"(6) the implementation of this Act and the Job Training Partnership Act, and policies needed to expand and improve vocational-technical education programs (and apprenticeship programs) in order to build a coordinated capacity to adequately prepare America's work force for employment.

"(c) Subject to such rules and regulations as may be adopted by the Council, the Chairperson is authorized to—

"(1) prescribe such rules and regulations as may be necessary for conducting the business of the Council;

"(2) appoint and fix the compensation of such personnel as the Chairperson considers necessary (including not to exceed five professional personnel), and appoint (with the approval of the Council) a Director, who shall be the chief executive officer of the Council and perform such duties as are prescribed by the Chairperson;

"(3) procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code;

"(4) accept voluntary and uncompensated services of professional personnel, consultants, and experts, notwithstanding any other provision of the law;

"(5) accept in the name of the United States and employ or dispose of gifts or bequests to carry out the functions of the Council under this section;

Grants.
Contracts with U.S.

"(6) enter into contracts and grants and make such other arrangements and modifications, as may be necessary;

"(7) conduct such hearings, studies, and research activities as the Council deems necessary to enable it to carry out its functions under this section;

"(8) use the services, personnel, facilities, and information of any department, agency, or instrumentality of the executive branch of the Federal Government and the services, personnel, facilities, and information of State and local public agencies and private agencies and organizations, with the consent of such agencies, with or without reimbursement therefor; and

"(9) make advance, progress, and other payments necessary under this section without regard to the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529).

31 USC 3324.

"(d) Upon request made by the Chairperson of the Council, each department, agency, and instrumentality of the executive branch of the Federal Government is authorized and directed to make its services, personnel, facilities, and information available to the greatest practicable extent to the Council in the performance of its functions under this section.

"(e) The Council may establish working groups on occupational competencies to provide the Secretary, the President, the Congress, and the States with current information on the types and levels of occupational competencies necessary for entry and sustained productive employment in given jobs or industries, including levels of skills required, and equipment, methods, and facilities needed for the occupation. The Council may establish working groups for the occupations the Council considers important or necessary and may reconstitute such groups as occupational priorities are revised. Members of the working groups shall be appointed by the Council on the advice of national trade and professional associations and labor organizations. Working group members shall be individuals with specific knowledge in the technology and practice of the occupations relevant to the task of the group. The Council may provide the results and recommendations of the working groups to each State council on vocational education and other appropriate State agencies.

"(f) The Council may use funds available for this part to obtain the services of staff specialists for working groups who have demonstrated technical skills and instructional ability in the occupations in question.

Report.

"(g) The Council shall make a report of its findings and recommendations to the President, the Congress, and the Secretary every second year, and may make such interim reports and recommendations as the Council may consider desirable. The Council shall include in such reports the manner in which the competency statements provided by the Council have been used by the States. The Council may include in such reports its evaluation of the status, progress, and needs of vocational education (including recommendations for Federal legislation and appropriations). Each such report shall include any minority, dissenting, or supplementary view submitted by any member of the Council.

"PART E—BILINGUAL VOCATIONAL TRAINING

"PROGRAM AUTHORIZED

"SEC. 441. (a)(1) From the sums made available to carry out this section in each fiscal year under section 3(d), the Secretary is authorized to make grants to and to enter into contracts with appropriate State agencies, local educational agencies, postsecondary educational institutions, private nonprofit vocational training institutions, and other nonprofit organizations specially created to serve individuals who normally use a language other than English, for bilingual vocational education and training for individuals with limited English proficiency to prepare such individuals for jobs in recognized occupations and new and emerging occupations. Such training shall include instruction in the English language to ensure that participants in such training will be equipped to pursue such occupations in an English language environment. The Secretary may also enter into contracts with private for-profit agencies and organizations for bilingual vocational education and training programs.

Grants.
Contracts with U.S.
20 USC 2441.
Ante, p. 2437.

"(2) Grants and contracts under this subsection may be used for—

"(A) bilingual vocational training programs for individuals who have completed or left elementary or secondary school and who are available for education in a postsecondary educational institution;

"(B) bilingual vocational education and training programs for individuals who have already entered the labor market and who desire or need training or retraining to achieve year-round employment, adjust to changing manpower needs, expand their range of skills, or advance in employment; and

"(C) training allowances for participants in bilingual vocational training programs.

"(b)(1) From the sums made available to carry out this section, the Secretary is authorized to make grants to and to enter into contracts with State agencies and public and private nonprofit educational institutions and to enter into contracts with private for-profit educational institutions to assist such entities in conducting training for instructors of bilingual vocational education and training programs.

"(2) Grants and contracts under this subsection may be used for—

"(A) preservice and inservice training for instructors, aides, counselors, or other ancillary personnel participating or preparing to participate in bilingual vocational training programs; and

"(B) fellowships and traineeships for individuals participating in preservice or inservice training.

"(3) The Secretary may not make a grant or enter into a contract under this subsection unless the Secretary determines that the applicant has an ongoing vocational training program in the field in which participants will be trained and can provide instructors with adequate language capabilities in the language other than English to be used in the program.

"(c)(1) From the sums made available to carry out this section, the Secretary is authorized to make grants to and to enter into contracts with State agencies, educational institutions, and appropriate nonprofit organizations, and to enter into contracts with private for-profit organizations and individuals, to assist in the development of instructional and curriculum materials, methods, or techniques for bilingual vocational training.

"(2) Grants and contracts under this subsection may be used for—

"(A) research in bilingual vocational training;

"(B) training programs to familiarize State agencies and training institutions with research findings and with successful pilot and demonstration projects in bilingual vocational education and training; and

"(C) experimental, developmental, pilot, and demonstration projects.

"(d)(1) Any eligible entity which desires to receive a grant from the Secretary under subsection (a), (b), or (c) shall submit an application to the Secretary in such form, at such times, and accompanied by such information as the Secretary may require. Such application shall provide that the activities and services for which assistance is sought will be administered by or under the supervision of the applicant.

"(2) An application pursuant to subsection (a) shall (A) set forth a program of such size, scope, and design as will make a substantial contribution toward carrying out the purposes of this section, and (B) be submitted to the State board or agency under section 111 for review and comment. Any such comments shall be included for submission to the Secretary.

Ante, p. 2441.

"(3) An application pursuant to subsection (c) shall set forth the qualifications of staff responsible for any such program.

"(4) An application pursuant to subsection (b) shall—

"(A) describe the capabilities of the applicant (including vocational training or education courses offered by the applicant, accreditation, and any certification of courses by appropriate State agencies);

"(B) describe the qualifications of principal staff responsible for any program under subsection (b); and

"(C) describe minimum qualifications for individuals participating or to participate in any program, describe the selection process for such individuals, and the projected amount of the fellowships or traineeships, if any.

"(5) Prior to making grants or contracts under subsection (a) or (b), the Secretary shall consult with the State board under section 111 to ensure an equitable distribution of assistance among populations of individuals with limited English proficiency within the State.

"(6) The Secretary may approve an application for assistance under this section only if the application meets the requirements set forth under this section. An amendment to an application shall, except as the Secretary may otherwise provide, be subject to approval in the same manner as the initial application.

"(e)(1) The Secretary shall administer programs under this section in consultation with the Secretary of Labor.

"(2) Programs of bilingual vocational education and training under this section in the Commonwealth of Puerto Rico may provide for the needs of students of limited Spanish proficiency.

Public information.

"(3) The Secretary of Education, in consultation with the Secretary of Labor, shall gather and disseminate information concerning the status of bilingual vocational education in all geographic regions and shall evaluate the impact of bilingual vocational education on occupational shortages of skilled workers, the unemployment or underemployment of individuals with limited English proficiency, and the ability of such individuals to acquire sufficient job skills and English language skills to fully contribute to the economy. The

Report.

Secretary of Education and the Secretary of Labor shall annually report their findings to the President and the Congress.

"(f)(1) For each fiscal year, not less than 75 per centum of sums appropriated for the purposes of this section shall be available only for grants and contracts under subsection (a).

"(2) For each fiscal year, not less than 15 per centum of the sums appropriated for the purposes of this section shall be available only for grants and contracts under subsection (b).

"(3) For each fiscal year, not less than 10 per centum of sums appropriated for the purposes of this section shall be available only for grants and contracts under subsection (c).

"PART F—GENERAL PROVISIONS

"DISTRIBUTION OF ASSISTANCE

"SEC. 451. (a) Subject to the provisions of subsection (b), of the amounts available pursuant to section 3(e) for any fiscal year for this title— 20 USC 2451. *Ante*, p. 2437.

"(1) 35 percent shall be available for part A, relating to research; *Ante*, p. 2466.

"(2) 35 percent shall be available for part B, relating to demonstration projects; and *Ante*, p. 2470.

"(3) 30 percent shall be available for part C, relating to vocational education in occupational information data systems. *Ante*, p. 2472.

"(b) Notwithstanding the provisions of subsection (a)—

"(1) there shall be available in each fiscal year not less than $6,000,000 to carry out the provisions of section 404, relating to the National Center for Research; *Ante*, p. 2468.

"(2) there shall be available for each fiscal year not less than $3,500,000 for the purpose of carrying out section 422, relating to the occupational information system; and *Ante*, p. 2473.

"(3) there shall be available in each fiscal year $500,000 for the purpose of carrying out part D, relating to the National Council. *Ante*, p. 2474.

"TITLE V—GENERAL PROVISIONS

"PART A—FEDERAL ADMINISTRATIVE PROVISIONS

"PAYMENTS

"SEC. 501. (a) The Secretary shall pay from its allotment under section 101 to each State for any fiscal year for which the State has a State plan approved in accordance with section 114 (including any amendment to such plan) the Federal share of the costs of carrying out the State plan. 20 USC 2461. *Ante*, p. 2438. *Ante*, p. 2449.

"(b) The Secretary shall pay to each State council of a State which has a State plan approved in accordance with section 114, from its allotment under section 112(f), an amount equal to the reasonable amounts expended by the State council in carrying out its functions under this Act in such fiscal year. *Ante*, p. 2443. *Ante*, p. 2435.

"FEDERAL SHARE

"SEC. 502. (a) The Federal share for each fiscal year shall be— 20 USC 2462.

"(1) 50 percent of the costs of administration of the State plan;

"(2) not to exceed 50 percent of the costs of administration of vocational education services and activities of eligible recipients;

"(3)(A) 50 percent of the costs of vocational education services and activities under part A of title II for individuals described in clauses (1), (2), and (3) of section 201(b);

Ante, p. 2450.

Ante, p. 2450.

"(B) 100 percent of the costs of vocational education programs, services, and activities under part A of title II for individuals described in clauses (4), (5), and (6) of section 201(b);

"(4) 50 percent of the costs of vocational education improvement, innovation, and expansion programs under part B of title II;

Ante, p. 2455.

"(5) 100 percent of the costs of the State council under section 112;

Ante, p. 2443.

"(6) 100 percent of the costs to carry out the provisions of section 111(b)(3); and

Ante, p. 2441.

"(7) except as otherwise provided, 100 percent of the costs of programs under title III.

Ante, p. 2457.

"(b) The non-Federal contributions for the costs of vocational education programs, services, and activities for the handicapped and the disadvantaged under part A of title II shall be furnished equitably by the State from State and local sources, except that the non-Federal contributions of such costs shall be furnished by the State from State sources if the State board determines that an eligible recipient cannot reasonably be expected to provide such costs from local sources.

Ante, p. 2450.

"MAINTENANCE OF EFFORT

20 USC 2463.

"SEC. 503. (a) No payments shall be made under this Act for any fiscal year to a State unless the Secretary determines that the fiscal effort per student or the aggregate expenditures of such State for vocational education for the fiscal year preceding the fiscal year for which the determination is made, equaled or exceeded such effort or expenditures for vocational education for the second preceding fiscal year.

Ante, p. 2435.

"(b) The Secretary may waive the requirements of this section for one fiscal year only, upon making a determination that such waiver would be equitable due to exceptional or uncontrollable circumstances affecting the ability of the applicant to meet such requirements, such as a natural disaster or an unforeseen and precipitous decline in financial resources. No level of funding permitted under such a waiver may be used as the basis for computing the fiscal effort required under this section for years subsequent to the year covered by such waiver; such fiscal effort shall be computed on the basis of the level of funding which would, but for such waiver, have been required.

"WITHHOLDING; JUDICIAL REVIEW

20 USC 2464.

"SEC. 504. (a) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State board, finds that—

Ante, p. 2449.

"(1) the State plan approved under section 114 has been so changed that it no longer complies with the provisions of this Act; or

"(2) in the administration of the State plan or of programs conducted pursuant to it there is a failure to comply substantially with any such provision,

the Secretary shall notify such State board that no further payments will be made to the State under this Act (or, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure) until satisfied that there will no longer be any failure to comply. Until so satisfied, the Secretary shall make no further payments to such State under this Act (or shall limit payments to programs under, or portions of, the State plan not affected by such failure).

"(b) A State board which is dissatisfied with a final action of the Secretary under this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which action is based, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set aside such action, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his action. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall, unless specifically ordered otherwise by the court, operate as a stay of the Secretary's action. Courts, U.S.

"(c)(1) If any eligible recipient is dissatisfied with the final action of the State board or other appropriate State administering agency with respect to approval of its local application, such eligible recipient may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State board or other appropriate State administering agency. The State board or such other agency thereupon shall file in the court the record of the proceeding on which the State board or such other agency based its action, as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State board or other appropriate administering agency, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the State board or such other agency to take further evidence, and the State board or such other agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State board or other appropriate administering agency or to set it aside, in whole or in part. The judgment of the court shall be subject

to review by the Supreme Court of the United States upon certiorari certification as provided in section 1254 of title 28, United States Code.

"(d)(1) The Secretary shall prescribe and implement rules to assure that any hearing conducted under section 434(c) of the General Education Provisions Act in connection with funds made available from appropriations under this Act shall be held within the State of the affected unit of local government or geographic area within the State.

20 USC 1232c.

"(2) For the purposes of paragraph (1)—

"(A) the term 'unit of local government' means a county, municipality, town, township, village, or other unit of general government below the State level; and

"(B) the term 'geographic area within a State' means a special purpose district or other region recognized for governmental purposes within such State which is not a unit of local government.

"AUDITS

20 USC 2465.

Ante, p. 2435.

"SEC. 505. Each State shall obtain financial and compliance audits of any funds which the State receives under this Act. Such audits shall be made public within the State on a timely basis. Audits shall be conducted at least every two years and shall be conducted in accordance with the Comptroller General's Standard for Audit of Governmental Organizations, Programs, Activities, and Functions.

"AUTHORITY TO MAKE PAYMENTS

20 USC 2466.

"SEC. 506. Any authority to make payments or to enter into contracts under this Act shall be available only to such extent or in such amounts as are provided in advance appropriation Acts.

"PART B—DEFINITIONS

"DEFINITIONS

20 USC 2471.

"SEC. 521. As used in this Act:

"(1) The term 'administration' means activities of a State necessary for the proper and efficient performance of its duties under this Act, including supervision, but does not include curriculum development activities, personnel development, technical assistance, or research activities.

"(2) The term 'apprenticeship training program' means a program registered with the Department of Labor or the State apprenticeship agency in accordance with the Act of August 16, 1937, known as the National Apprenticeship Act, which is conducted or sponsored by an employer, a group of employers, or a joint apprenticeship committee representing both employers and a union, and which contains all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices.

29 USC 50 note.

"(3) The term 'area vocational education school' means—

"(A) a specialized high school used exclusively or principally for the provision of vocational education to individuals who are available for study in preparation for entering the labor market;

"(B) the department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to individuals who are available for study in preparation for entering the labor market;

"(C) a technical institute or vocational school used exclusively or principally for the provision of vocational education to individuals who have completed or left high school and who are available for study in preparation for entering the labor market; or

"(D) the department or division of a junior college or community college or university operating under the policies of the State board and which provides vocational education in no less than five different occupational fields leading to immediate employment but not necessarily leading to a baccalaureate degree, if, in the case of a school, department, or division described in subparagraph (C) or this subparagraph, it admits as regular students both individuals who have completed high school and individuals who have left high school.

"(4) The term 'career guidance and counseling' means those programs (A) which pertain to the body of subject matter and related techniques and methods organized for the development in individuals of career awareness, career planning, career decisionmaking, placement skills, and knowledge and understanding of local, State, and national occupational, educational, and labor market needs, trends, and opportunities, and (B) which assist them in making and implementing informed educational and occupational choices.

"(5) The term 'community-based organization' means any such organization of demonstrated effectiveness described in section 4(5) of the Job Training Partnership Act. 29 USC 1503.

"(6) The term 'construction' includes construction of new buildings and acquisition, and expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

"(7) The term 'cooperative education' means a method of instruction of vocational education for individuals who, through written cooperative arrangements between the school and employers, receive instruction, including required academic courses and related vocational instruction by alternation of study in school with a job in any occupational field but the two experiences must be planned and supervised by the school and employers so that each contributes to the student's education and to his or her employability. Work periods and school attendance may be on alternate half days, full days, weeks, or other periods of time in fulfilling the cooperative program.

"(8) The term 'criminal offender' means any individual who is charged with or convicted of any criminal offense, including a youth offender or a juvenile offender.

"(9) The term 'correctional institution' means any—

"(A) prison,

"(B) jail,

"(C) reformatory,

"(D) work farm,

"(E) detention center, or

"(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

"(10) The term 'Council' means the National Council on Vocational Education.

"(11) The term 'curriculum materials' means instructional and related or supportive material, including materials using advanced learning technology, in any occupational field which is designed to strengthen the academic foundation and prepare individuals for employment at the entry level or to upgrade occupational competencies of those previously or presently employed in any occupational field, and appropriate counseling and guidance material.

"(12) The term 'disadvantaged' means individuals (other than handicapped individuals) who have economic or academic disadvantages and who require special services and assistance in order to enable them to succeed in vocational education programs. Such term includes individuals who are members of economically disadvantaged families, migrants, individuals who have limited English proficiency and individuals who are dropouts from, or who are identified as potential dropouts from, secondary school.

"(13) The term 'economically depressed area' means an economically integrated area within any State in which a chronically low level of economic activity or a deteriorating economic base has caused such adverse effects as (A) a rate of unemployment which has exceeded by 50 per centum or more the average rate of unemployment in the State, or in the Nation, for each of the three years preceding the year for which such designation is made, or (B) a large concentration of low-income families, and for which such designation for the purposes of this Act is approved by the Secretary as consistent with these and such other criteria as may be prescribed, and with the purposes of this Act.

Ante, p. 2435.

"(14) The term 'eligible recipient' means a local educational agency or a postsecondary educational institution.

"(15) The term 'handicapped', when applied to individuals, means individuals who are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, or other health impaired persons, or persons with specific learning disabilities, who by reason thereof require special education and related services, and who, because of their handicapping condition, cannot succeed in the regular vocational education program without special education assistance.

"(16) The term 'high technology' means state-of-the-art computer, microelectronic, hydraulic, pneumatic, laser, nuclear, chemical, telecommunication, and other technologies being used to enhance productivity in manufacturing, communication, transportation, agriculture, mining, energy, commercial, and similar economic activity, and to improve the provision of health care.

"(17) The term 'homemaker' means an individual who—

"(A) is an adult, and

"(B) has worked as an adult primarily without remuneration to care for the home and family, and for that reason has diminished marketable skills.

The Secretary may not prescribe the manner in which the States will comply with the application of the definition contained in this paragraph.

"(18) The term 'limited English proficiency' has the meaning given such term in section 703(a)(1) of the Elementary and Secondary Education Act of 1965. 20 USC 3223.

"(19) The term 'local educational agency' means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

"(20) The term 'economically disadvantaged family or individual' means such families or individuals who are determined by the Secretary to be low-income according to the latest available data from the Department of Commerce.

"(21) The term 'postsecondary educational institution' means an institution legally authorized to provide postsecondary education within a State, or any postsecondary educational institution operated by or on behalf of any Indian tribe which is eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination Act or under the Act of April 16, 1934. 25 USC 456 note. 25 USC 452–457.

"(22) The term 'private vocational training institution' means a business or trade school, or technical institution or other technical or vocational school, in any State, which (A) admits as regular students only persons who have completed or left elementary or secondary school and who have the ability to benefit from the training offered by such institution; (B) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; (C) has been in existence for two years or has been specially accredited by the Secretary as an institution meeting the other requirements of this subsection; and (D) is accredited (i) by a nationally recognized accrediting agency or association listed by the Secretary pursuant to this clause, or (ii) if the Secretary determines that there is no nationally recognized accrediting agency or association qualified to accredit schools of a particular category, by a State agency listed by the Secretary pursuant to this clause, or (iii) if the Secretary determines that there is no nationally recognized or State agency or association qualified to accredit schools of a particular category, by an advisory committee appointed by the Secretary and composed of persons specially qualified to evaluate training provided by schools of that category, which committee shall prescribe the standards of content, scope, and quality which must be met by those schools and shall also determine whether particular schools meet those standards. For the purpose of this paragraph, the Secretary shall publish a list of nationally recognized accrediting agencies or associations and State agencies which the Secretary determines to be reliable authority as to the quality of education or training afforded. Public information.

"(23) The term 'school facilities' means classrooms and related facilities (including initial equipment) and interests in lands on which such facilities are constructed. Such term shall not in-

clude any facility intended primarily for events for which admission is to be charged to the general public.

"(24) The term 'Secretary' means the Secretary of Education.

"(25) The term 'single parent' means an individual who—

"(A) is unmarried or legally separated from a spouse, and

"(B) has a minor child or children for which the parent has either custody or joint custody.

"(26) The term 'small business' means for-profit enterprises employing five hundred or fewer employees.

"(27) The term 'State' includes, in addition to the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.

"(28) The term 'State board' means a State board designated or created by State law as the sole State agency responsible for the administration of vocational education, or for supervision of the administration of vocational education in the State.

"(29) The term 'State council' means the State council on vocational education established in accordance with section 112.

Ante, p. 2443.

"(30) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary or secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

"(31) The term 'vocational education' means organized educational programs which are directly related to the preparation of individuals in paid or unpaid employment in such fields as agriculture, business occupations, home economics, health occupations, marketing and distributive occupations, technical and emerging occupations, modern industrial and agriculture arts, and trades and industrial occupations, or for additional preparation for a career in such fields, and in other occupations, requiring other than a baccalaureate or advanced degree and vocational student organization activities as an integral part of the program; and for purposes of this paragraph, the term 'organized education program' means only (A) instruction (including career guidance and counseling) related to the occupation or occupations for which the students are in training or instruction necessary for students to benefit from such training, and (B) the acquisition (including leasing), maintenance, and repair of instructional equipment, supplies, and teaching aids; but the terms do not mean the construction, acquisition, or initial equipment of buildings, or the acquisition or rental of land.

"(32) The term 'vocational student organizations' means those organizations for individuals enrolled in vocational education programs which engage in activities as an integral part of the instructional program. Such organizations may have State and national units which aggregate the work and purposes of instruction in vocational education at the local level.".

EFFECTIVE DATE

20 USC 2301 note.

SEC. 2. (a) This Act shall take effect for fiscal years beginning on or after October 1, 1984, except that the authority of the Secretary to prescribe regulations under this Act and the responsibility of

States to submit State plans are effective upon the date of enactment of this Act.

(b) Not later than 90 days after the date of the enactment of this Act, the Secretary shall prescribe regulations for carrying out the provisions of this Act. Regulations.

Ante, p. 2435.

TRANSITION PROVISIONS

SEC. 3. (a) Each State and eligible recipient of financial assistance under the Carl D. Perkins Vocational Education Act, or under the Vocational Education Act of 1963, may expend funds received under the Carl D. Perkins Vocational Education Act or under the Vocational Education Act of 1963 to— 20 USC 2301 note. *Ante*, p. 2435. 20 USC 2301 note.

(1) conduct planning for any program or activity authorized under the Carl D. Perkins Vocational Education Act; and

(2) conduct any other activity deemed necessary by the recipient to provide for an orderly transition to the operation of programs under the Carl D. Perkins Vocational Education Act.

(b)(1) On the effective date of the Carl D. Perkins Vocational Education Act, the personnel, property, and records of the National Occupational Information Coordinating Committee established under section 161(b) of the Vocational Education Act of 1963 shall be transferred to the National Occupational Information Coordinating Committee established pursuant to section 422 of this Act. 20 USC 2422 note. 20 USC 2391. *Ante*, p. 2473.

(2) On the effective date of this Act, the personnel, property, and records of the National Advisory Council on Vocational Education shall be transferred to the National Council on Vocational Education established under section 431 of this Act. 20 USC 2431 note. *Ante*, p. 2474.

CONFORMING AMENDMENTS

SEC. 4. (a)(1) Section 4 of the Job Training Partnership Act (29 U.S.C. 1501 et seq.) is amended— 29 USC 1503.

(A) by striking out "section 195(10) of the Vocational Education Act of 1963" in paragraph (14) and inserting in lieu thereof "section 4(15) of the Carl D. Perkins Vocational Education Act";

(B) by striking out "section 195(11) of the Vocational Education Act of 1963" in paragraph (23) and inserting in lieu thereof "section 1201(h) of the Higher Education Act of 1965"; and

(C) by striking out "section 195(1) of the Vocational Education Act of 1963" in paragraph (28) and inserting in lieu thereof "section 521(31) of the Carl D. Perkins Vocational Education Act".

(2) Section 122 of such Act is amended— 29 USC 1532.

(A) by striking out paragraph (8) of subsection (a); and

(B) by striking out "reports required pursuant to section 105(d)(3) of the Vocational Education Act of 1963" in subsection (b)(7)(B) and inserting in lieu thereof "the measures taken pursuant to section 113(b)(9) of the Carl D. Perkins Vocational Education Act".

(3) Section 125(b)(1) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act". 29 USC 1535.

(4) Section 427(a)(1) of such Act is amended by striking out "section 104(a)(1) of the Vocational Education Act of 1963" and inserting in lieu thereof "section 111(a)(1) of the Carl D. Perkins Vocational Education Act". 29 USC 1697.

29 USC 1751. (5) Section 461(c) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

29 USC 1753. (6)(A) Section 463(a) of such Act is amended by striking out "section 161(b) of the Vocational Education Act of 1963" and inserting in lieu thereof "section 422 of the Carl D. Perkins Vocational Education Act".

29 USC 1754. (B) Section 464(a)(1) of such Act is amended by striking out "section 161(b) of the Vocational Education Act of 1963" and inserting in lieu thereof "section 422 of the Carl D. Perkins Vocational Education Act".

(C) Section 464(c) of such Act is amended by striking out "section 161(b) of the Vocational Education Act of 1963" and inserting in lieu thereof "section 422 of the Carl D. Perkins Vocational Education Act".

29 USC 1753. (D) Section 463(a) of such Act is amended by striking out "section 161(b) of the Vocational Education Act of 1963" and inserting in lieu thereof "section 422 of the Carl D. Perkins Vocational Education Act".

29 USC 1754. (E) Section 464(b) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

29 USC 1772. (7) Section 472 of such Act is amended by striking out "National Advisory Council on Vocational Education (established under section 162 of the Vocational Education Act of 1963)" in subsection (a) and inserting in lieu thereof "National Council on Vocational Education (established under section 431 of the Carl D. Perkins Vocational Education Act)".

29 USC 1773. (8) Section 473 of such Act is amended—

(A) by striking out "National Advisory Council on Vocational Education" in paragraph (7)(A) and each place it appears in paragraph (7)(B) and inserting in lieu thereof "National Council on Vocational Education"; and

(B) by striking out "section 162 of the Vocational Education Act of 1963" and inserting in lieu thereof "part D of title IV of the Carl D. Perkins Vocational Education Act".

(b) Section 703(a)(8) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3223(a)(8)) is amended by striking out "section 122(a)(4) and part J of the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

(c)(1) Section 113(d) of the Higher Education Act of 1965 (20 U.S.C. 1013(d)) is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

20 USC 1014. (2) Section 114(b) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

20 USC 1135c-1. (3) Section 1022(a) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

(d)(1) Section 306(b)(11) of the Adult Education Act (20 U.S.C. 1205(b)(11)) is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

(2) Section 318(a)(4) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act". 20 USC 1211c.

(e)(1) Section 113(a) of the Appalachian Regional Development Act of 1965 (40 U.S.C. App.) is amended by striking out "the Vocational Education Act of 1963 (77 Stat. 403)" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act". 40 USC app. 113.

(2) Section 114(c) of such Act is amended by striking out "the Vocational Education Act of 1963" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act". 40 USC app. 114.

(f) Section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)) is amended by striking out "the Vocational Education Act" and inserting in lieu thereof "the Carl D. Perkins Vocational Education Act".

(h) Section 104 of the Vocational Education Amendments of 1968 is amended by striking out "section 102(a) of this Act (as such Act will be in effect on October 1, 1977)" and inserting in lieu thereof "section 3 of the Carl D. Perkins Vocational Education Act". 20 USC 11 note.

NATIONAL SUMMIT CONFERENCE ON EDUCATION

SEC. 5. (a) This section may be cited as the "National Summit Conference on Education Act of 1984". National Summit Conference on Education Act of 1984.

(b)(1) The Congress finds that—

(A) increased economic competition requires the development of a better trained and educated workforce which our educational institutions must provide;

(B) problems and deficiencies in American elementary and secondary education require consideration of possible new directions in setting national education policy; and

(C) there should be a National Summit Conference on Education authorized by law by Congress to provide directions for such policy, and any conference established by the Department of Education should be complementary to the National Summit Conference on Education.

(2) For the purpose of this section, the term "Conference" means the National Summit Conference on Education established by this title.

(c) There are authorized to be appropriated to the Department of Education $500,000 for the purpose of conducting a National Summit Conference on Education, in accordance with the provisions of this section. Appropriation authorization.

(d) The participants in the Conference shall consist of not more than two hundred individuals. The participants in the Conference shall be representative of teachers, parents, school administrators, school board members, State education officials, State legislators, Governors, students, business, labor, and special populations, including females, racial and ethnic minorities, and the disabled. The participants in the Conference shall be selected so as to provide racial, political, and geographic balance.

(e) The participants in the Conference shall be chosen from among nominees submitted to the Executive Committee (established pursuant to section 605) by organizations representing public and private elementary and secondary education, vocational education, adult education, teacher training, women, racial and ethnic minorities, and the handicapped, as well as from among nominees supplied by

organizations representing business, organized labor, parents, libraries, and all levels of government.

(f)(1) There shall be an Executive Committee of the Conference consisting of—

(A) two individuals appointed by the President,

(B) two individuals appointed by the Speaker of the House of Representatives,

(C) two individuals appointed by the Majority Leader of the Senate, and

(D) six individuals appointed by the Governors of the States acting as a group.

The six individuals appointed by the Governors shall be appointed from individuals representing chief State school officers, local and State school boards, State legislatures, and Governors.

(2) The Executive Committee shall be responsible for selecting a presiding officer and for selecting the organizations (described in section 604) to supply a list of nominees for selection as participants in the Conference. Not less than 30 organizations shall be so selected by the Executive Committee. Each organization selected shall nominate at least the number of individuals specified by the Executive Committee for that organization in order to provide the representation required by sections 603 and 604. The Executive Committee shall determine the total number of individuals to be selected for participation, consistent with the requirements of this title.

(3) The Executive Committee shall serve without compensation.

(g) The Executive Committee shall appoint and fix the compensation of such staff as may be necessary, not to exceed the equivalent of four full-time employees. The staff shall assist the Executive Committee in planning, conducting, and completing the work of the Conference. The administrative support for the staff and the Executive Committee shall be the responsibility of the Department of Education in conjunction with the Speaker of the House of Representatives and the Majority Leader of the Senate. The staff and the Executive Committee shall report, through properly established lines of authority, to the Congress.

Report.

(h)(1) A majority of participants of the Conference shall constitute a quorum if votes are required. If task forces are created, the majority of task force participants shall constitute a quorum if a vote is required.

(2)(A) The Executive Committee shall select the Conference site and shall determine the duration of the Conference. The duration of the Conference shall not exceed six days. Neither the regional meetings (described in section 608(a)) nor the Conference shall meet before January 1, 1985.

(B) The Conference shall prepare and transmit a written record of its recommendations to the President, to the Congress, and to the States not later than four months after the last meeting of the Conference.

(i)(1) The Executive Committee, using data concerning education supplied by the Secretary of Education and by the States, shall develop an agenda for the Conference prior to the Conference. The data will include information furnished to the Secretary from statewide and regional summit conferences devoted to obtaining citizen views about education. The purpose of this agenda shall be to facilitate the development of recommendations on various issues raised by such recently issued education reports as the report of the National Commission on Excellence in Education, the Carnegie

Report on American High Schools, the National Science Boards' Report on Mathematics, Science and Technology Education, and others.

(2) The agenda so developed shall take into account that it shall be the purpose of the Conference to create national bipartisan support for education at all levels of government, and to make recommendations for the development of viable local, State, and national intergovernmental and intragovernmental cooperation in education to make the most efficient use of funds from all levels of government.

(3) The agenda shall also provide for procedures for determining national consensus regarding types of strategies to be used and the appropriate levels of government to have primary responsibility for implementing educational policy.

VOCATIONAL EDUCATION POLICY

SEC. 6. It is the sense of the Congress that effective vocational education programs are essential to our future as a free and democratic society; that such programs are best administered by local communities, and community colleges school boards, where the primacy of parental control can be emphasized with a minimum of Federal interference; and that as a means to strengthening vocational education and training programs, nongovernmental alternatives promoting links between public school needs and private sector sources of support should be encouraged and implemented. 20 USC 2301 note.

JOB TRAINING REGULATIONS

SEC. 7. Notwithstanding section 629.38(e)(2)(iii) of title 20 of the Code of Federal Regulations, relating to allowable training costs under the Job Training Partnership Act, payment for training packages purchased competitively pursuant to section 141(d)(3) of such Act in the case of youth shall include payment for the full unit price if the training results in either placement in unsubsidized employment or the attainment of an outcome specified in section 106(b)(2) of such Act. 29 USC 1551 note. 29 USC 1501 note. 29 USC 1551.

Approved October 19, 1984.

LEGISLATIVE HISTORY—H.R. 4164 (S. 2341):

HOUSE REPORTS: No. 98-612 (Comm. on Education and Labor) and No. 98-1129 (Comm. of Conference).

SENATE REPORT No. 98-507 accompanying S. 2341 (Comm. on Labor and Human Resources).

CONGRESSIONAL RECORD, Vol. 130 (1984):

Mar. 7, 8, considered and passed House.

Aug. 8, considered and passed Senate, amended, in lieu of S. 2341.

Oct. 3, Senate agreed to conference report.

Oct. 4, House agreed to conference report.